

65578

ORIGINAL

Decision No. \_\_\_\_\_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DeWillow Woodson,

Complainant,

vs.

Case No. 7573

The Pacific Telephone and  
Telegraph Company, a  
corporation,

Defendant.

DeWillow Woodson, in propria persona.  
Lawler, Felix & Hall, by A. J. Krappman, Jr.,  
for defendant.  
Roger Arnebergh, City Attorney, by Simi Dabah,  
for the Police Department of the City of  
Los Angeles, intervener.

O P I N I O N

Complainant seeks restoration of telephone service at 531 West 49th Place, Los Angeles, California. Interim restoration was ordered pending further order (Decision No. 65141).

Defendant's answer alleges that on or about February 14, 1963, it had reasonable cause to believe that service to DeWillow Woodson under number 233-6362 was being or was to be used as an instrumentality directly or indirectly to violate or aid and abet violation of law, and therefore defendant was required to disconnect service pursuant to the decision in Re Telephone Disconnection, 47 Cal. P.U.C: 853.

The matter was heard and submitted before Examiner DeWolf at Los Angeles, on May 10, 1963.

By letter of February 11, 1963, the Chief of Police of the City of Los Angeles advised defendant that the telephone under number AD 36362 was being used to disseminate horse-racing information used in connection with bookmaking in violation of Penal Code, Section 337a, and requesting disconnection (Exhibit 1).

Complainant testified that she was arrested for book-making and that all charges against her were dismissed, and that she did not take any bets on her telephone or use it for any unlawful purpose. She further testified that she has three children in school; that the household uses the telephone to obtain work; that she has great need for telephone service; that she did not and will not use the telephone for any unlawful purpose; and that her true name is DeWillow Woodson.

A deputy city attorney appeared and cross-examined the complainant, but no testimony was offered on behalf of any law enforcement agency.

We find that defendant's action was based upon reasonable cause, and the evidence fails to show that the telephone was used for any illegal purpose. Complainant is entitled to restoration of service.

O R D E R

IT IS ORDERED that Decision No. 65141, temporarily restoring service to complainant, is made permanent, subject to defendant's tariff provisions and existing applicable law.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California,  
this 18th day of June, 1963.

George B. Cooper  
President

John E. [unclear]

Walter [unclear]

Frederick B. Hallock

William M. [unclear]  
Commissioners