

Decision No. 65626**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SHAEL SMITH,

Complainant,

vs.

CASE NO. 7652

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY,
a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

SHAEL SMITH, of 5009 Farquhar Street, City of Los Angeles, County of Los Angeles, State of California, having filed a verified complaint alleging in substance that prior to May 30, 1963, complainant was a subscriber and user of telephone service furnished by defendant under the number of Capitol 1-4631 at said address; that on or about May 30, 1963, said telephone facilities were removed and disconnected by defendant; that on or about May 30, 1963, complainant was arrested and accused of engaging in bookmaking activities; that on June 4, 1963, complainant appeared in the Municipal Court of the Los Angeles Judicial District, at which time the aforesaid charges were dismissed; that complainant is informed and believes and thereon alleges that there are no complaints or charges pending against complainant of any nature whatsoever; that complainant did not use and does not now intend to use said telephone facilities as instrumentalities to violate the law nor in aiding or abetting such violation, nor to permit any other person or persons to so use same; that complainant has made demand upon defendant to have said telephone facilities restored but defendant has refused and does now still refuse to do so; that complainant

will suffer irreparable damage to his business and great hardship to himself and family as a result of being deprived of said telephone facilities; that complainant's son resides at said address and is an interne at the Los Angeles County General Hospital and receives numerous incoming calls concerning his patients' care and treatment, as well as emergency calls; that complainant seeks restoration of said telephone facilities forthwith; and good cause appearing,

IT IS ORDERED that The Pacific Telephone and Telegraph Company, a corporation, is hereby directed to reconnect and restore telephone service to complainant and to maintain such service pending further Commission order herein, said service to be furnished pursuant to defendant's filed tariff rates and rules applicable thereto. The complaint will be set for hearing before such Commissioner or Examiner, and at such time and place as may hereafter be designated.

The Secretary is directed as follows:

1. To cause a certified copy of this order, together with a copy of the complaint herein, to be served upon The Pacific Telephone and Telegraph Company, a corporation, and said defendant is directed to serve and file its reply within ten (10) days after said service.
2. To cause a copy of this order to be mailed to complainant.
3. To cause appropriate notice of hearing to be mailed to the parties at least ten (10) days prior to the hearing herein.

Dated at San Francisco, California, this 2nd day of JULY, 1963.

George G. Hoover
President

Robert L. [unclear]
Robert L. [unclear]

Frederick B. Hallock
Commissioners

Gallagher W. Bruce