

Decision No. 65695**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

VIRTIE MAE CADESELLS,

Complainant,

vs.

CASE NO. 7656

PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

VERTIE MAE CADESELLS, of 825 Broderick Street, San Francisco, California, having filed a verified complaint alleging in substance that complainant was a user and subscriber of telephone service furnished by defendant under the number of Fillmore 6-8545 at said address; that on April 1, 1963, police officers of the City and County of San Francisco, arrested Dorothy Williams at complainant's address on a charge of violating the penal code; that thereafter said Dorothy Williams pleaded guilty to said charge in the Superior Court of the State of California in and for the City and County of San Francisco; that said police officers at the time of the arrest removed said telephone facilities and thereafter notified the defendant of the removal; that complainant has never at any time been engaged in any illegal activity of any kind or character; that complainant has made demand upon defendant to have said telephone facilities restored but defendant has refused to do so; that said refusal to furnish service to complainant is predicated upon the statement of certain members of the San Francisco Police Department that said Dorothy Williams was engaged in bookmaking

activities upon the premises at said address; that at the time of the arrest of said Dorothy Williams, the complainant was conducting and for some time prior thereto had conducted in the rear of said premises a beauty shop; that said telephone was used exclusively by complainant in connection with the operation of the beauty shop; that a telephone was necessary and essential to the proper and profitable operation of the beauty shop business; that since the removal of said telephone the complainant's business has substantially decreased; that the continued deprivation of the use of the telephone facilities at the home and shop of complainant will impose upon complainant a hardship which is wholly unwarranted under the circumstances, and will likewise tend to interfere with the livelihood of the complainant; that the refusal of defendant to restore telephone service to complainant is without due and lawful process, and a deprivation of the constitutional rights of complainant; that complainant seeks restoration of said telephone service 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

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 9th
 day of JULY, 1963.

William B. Brundage
 President

George L. Trover

Frederick B. Halchoff
 Commissioners