

Decision No. 65696**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CHESTER D. LYBARGER,

Complainant,

vs.

CASE NO. 7658

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation.

Defendant.

ORDER GRANTING INTERIM RELIEF

CHESTER D. LYBARGER of 2139 North Broadway, Los Angeles 31, California, having filed a verified complaint alleging in substance that complainant was a user and subscriber of telephone service furnished by defendant under the numbers of Capitol 1-6461 and Capitol 1-2536 at said address; that on or about June 13, 1963, the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the Los Angeles Police Department and/or Los Angeles County Sheriff's office; that complainant has not used and does not now intend to use said telephone facilities as instrumentalities to violate the law nor in aiding or abetting such violations; that complainant has no knowledge of any illegal activities being conducted at said premises or over said telephone facilities; 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 is in the automatic service business and both telephones are necessary for the proper conduct of the business; 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 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 W. Brewster
President

Robert E. Hatch

Wendell W. Page

George L. Trover

Fredrick B. Heblhoff
Commissioners