

Decision No. 66372

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

VIRTIE MAE CADESELLS,)
Complainant,)
vs.)
THE PACIFIC TELEPHONE AND)
TELEGRAPH COMPANY,)
Defendant.)

Case No. 7656
Filed July 2, 1963

Joseph C. Houghey, for complainant.
James F. Kirkham, for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 825 Broderick Street, San Francisco, California. Interim restoration was ordered pending further order. (Decision No. 65695.)

Defendant's answer alleges that on or about April 1, 1961, it had reasonable cause to believe that service to complainant under number Fillmore 6-8545 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 Rowe at San Francisco on October 24, 1963.

By stipulation of the parties it was conceded that defendant acted upon reasonable cause. Complainant testified that she has great need for telephone service and will not use the

telephone for any illegal purpose. 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. The Commission concludes that complainant is entitled to restoration of telephone service.

O R D E R

IT IS ORDERED that Decision No. 65695, temporarily restoring service to complainant, is made permanent, subject to defendant's tariff provisions and existing applicable law.

This order shall be effective twenty days after the date hereof.

Dated at San Francisco, California, this 16th day of NOVEMBER, 1963.

Helen M. Bernard
President

John E. [unclear]

Wendell [unclear]

George J. Grover

Fredrick B. Haloboff
Commissioners