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Decision No. _____

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ELMER RUCKER,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a Corporation,

Defendant.

Case No. 7801

ORDER GRANTING INTERIM RELIEF

ELMER RUCKER, of 207 East 80th Street, Los Angeles, California, having filed a verified complaint alleging in substance that complainant was a subscriber and user of telephone service furnished by defendant under the number Pleasant 2-5059, that on or about December 3, 1963, the telephone facilities of complainant were disconnected by defendant; that at said time and place, police officers of the Los Angeles Police Department entered said premises and accused one Emma Rucker of engaging in bookmaking activities, that said Emma Rucker was arrested by police, released on bail pending trial on December 6, 1963, that complainant is informed and believes that there are no complaints or charges pending against complainant of any nature whatsoever, that complainant was not, at the 3rd day of December, 1963, or at any other time, using said telephone for any illegal purpose nor did he ever permit anyone else to so use it, that complainant never had any knowledge, information or belief that anyone else was using his telephone for any illegal purpose, that complainant has made demand upon defendant to have the telephone facilities restored, but defendant has refused and does now refuse so to do, that complainant will suffer irreparable damage to his business, and great hardship for himself and family as a result of being deprived of said telephone facilities as his

income and livelihood results from people calling him at his home in that he is a lift operator and various contractors must reach him there in order to apprise him of the time and location of his requested services, that complainant did not use and does not intend to use said telephone facilities as an instrumentality to violate the law, nor in aiding or abetting such violation or to permit any other person or persons to so use same, 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 _____, California, this 27th day of SEPTEMBER, 1963.

Hallam B. Bennett
 President

George D. Trover

Fredrick B. Hallock

Commissioners

2. Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.