

**ORIGINAL**

Decision No. 67678

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

HOWARD A. SPERRY,  
 Complainant,  
 vs.  
 THE GENERAL TELEPHONE COMPANY,  
 Defendant.

Case No. 7957

ORDER GRANTING INTERIM RELIEF

HOWARD A. SPERRY, of 1038 - 5th, Apt. B, Santa Monica, California, having filed a verified complaint alleging in substance that complainant was a subscriber and user of telephone service furnished by defendant under number EX 5-4321; that on or about June 1, 1961, the telephone facilities of complainant were removed and disconnected by defendant pursuant to instructions from the Santa Monica Police Department; 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 violation; that complainant has made demand upon defendant to have said telephone facilities restored, but defendant has refused and does still refuse to do so; that complainant has suffered and will continue to suffer great hardship if deprived of said telephone facilities; that complainant is employed as a photo negative retoucher and requires the use of the telephone in the conduct of his business; that complainant is under doctor's care awaiting major surgery on his hip; that complainant is a dwarf and lives alone; that after the surgery complainant will be sent home approximately September 1, 1964 unable to either walk or to drive; that lack of telephone facilities has worked a hardship on his self-employment and will work a great hardship during his total

incapacity after his surgery; that complainant seeks restoration of said telephone facilities before September 1, 1964; and good cause appearing,

IT IS ORDERED that General Telephone Company of California, 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 General Telephone Company of California, 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 11<sup>th</sup> day of AUGUST, 1964.

Frederick B. Holdhoff  
President

[Signature]

[Signature]

George L. Trover

Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.