

ORIGINALDecision No. 67681

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GUY CALE,

Complainant,

vs.

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY, a
Corporation,

Defendant.

Case No. 7963

ORDER GRANTING INTERIM RELIEF

GUY CALE, of 7548-1/2 Santa Monica Boulevard, apartment 1, Los Angeles, California, having filed a verified complaint alleging in substance that complainant was a user and subscriber of telephone service furnished by defendant under number 876-2160, consisting of an eight phone rotary located at 7548-1/2 Santa Monica Boulevard, Los Angeles, California; that on or about June 23, 1964, the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the Los Angeles County Sheriff's Office; that complainant did not use 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 the said telephone facilities restored, but defendant has refused and does now still refuse to do so; that complainant has suffered and will continue to suffer irreparable injury to his reputation and will suffer great hardship if deprived of said telephone facilities; that complainant is the owner and operator of a sport's information service from which the aforementioned telephone facilities were removed; that said facilities are used in the dissemination of information concerning race results,

scratches and payoffs on horseraces run throughout the United States; that complainant operates said business under the name of GUY CALE ENTERPRISES and is the holder of a license issued by the City of Los Angeles, California, for the operation thereof; that complainant's livelihood depends upon the retention of said telephone service; 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 San Francisco, California, this 11th day of August, 1964.

[Handwritten signature]
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Fredrick B. Halbachoff
 President
[Handwritten signature]
George H. Hoover
 Commissioners

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