

Decision No. 67723

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

BEATRICE WALKER,

Complainant,

Case No. 7877

vs.

THE PACIFIC TELEPHONE AND  
TELEGRAPH COMPANY,  
a Corporation,

Defendant.

Beatrice Walker, in propria persona.  
Lawler, Felix & Hall, by Robert C. Coppo,  
for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 1807 South Highland, Los Angeles, California. Interim restoration was ordered pending further order (Decision No. 67140, dated April 28, 1964).

Defendant's answer alleges that on or about January 18, 1963, it had reasonable cause to believe that service to Beatrice Walker under number 939-0420 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 DeWolf at Los Angeles on July 16, 1964.

By letter of January 17, 1963, the Chief of Police of the City of Los Angeles advised defendant that the telephone under number 939-0420 was being used to disseminate horse-racing information used in connection with bookmaking in violation of Penal Code Section 337a, and requested disconnection (Exhibit 1).

Complainant testified that her telephone has been disconnected over fifteen months and that she has great need for telephone service, and she did not and will not use the telephone for any unlawful purpose.

There was no appearance by or testimony from 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.

Complainant is entitled to restoration of service.

O R D E R

IT IS ORDERED that Decision No. 67140, dated April 28, 1964, temporarily restoring service to complainant, is made permanent, subject to defendant's tariff provisions and existing applicable law.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 18<sup>th</sup> day of AUGUST, 1964.

Fredrick B. Holdcroft  
President

George H. Traver  
Commissioners

William W. Blinn  
Commissioners