

ORIGINAL

Decision No. 68078

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Ethel Jenkins,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case No. 7902
Filed May 18, 1964

Ethel Jenkins, in propria persona.
James F. Kirkham, for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 5991 Howell Street, Oakland, California. Interim restoration was ordered pending further order by Decision No. 67293, issued June 3, 1964.

Defendant's answer alleges that on or about March 6, 1963, it had reasonable cause to believe that service to complainant under number Olympic 8-0661 was being used as an instrumentality directly or indirectly to violate or aid and abet violation of law, and therefore defendant was required to discontinue 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 Oakland on September 29, 1964.

Complainant testified 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. The Commission concludes that complainant is entitled to service.

O R D E R

IT IS ORDERED that Decision No. 67293, dated June 3, 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 20th day of OCTOBER, 1964.

Fredrick B. Hallock
President
W. E. Mitchell
Everett D. Page
George H. Trover
Commissioners

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