

Decision No. 68114**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JOSEPH MORIGI, DOMONICK MORIGI,
dba MORIGI'S HOUSE OF PIZZA,

Complainant,

vs.

Case No. 8035

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

JOSEPH MORIGI, DOMONICK MORIGI, dba MORIGI'S HOUSE OF PIZZA, of 21635 Devonshire Street, Chatsworth, California, having filed a verified complaint alleging in substance that complainant was a subscriber and user of telephone service furnished by defendant under numbers 341-2728 and 341-0166; that on or about October 7, 1964, the telephone facilities were disconnected by the Pacific Telephone and Telegraph Company, based on a written notice received from the Los Angeles Police Department that number 341-2728 was being used as an instrumentality to violate or to aid and abet the violation of the law; that complainant has made demand upon defendant to have said telephone facilities restored, but defendant has refused and does now refuse so to do; that complaint has suffered and will suffer irreparable injury to his business and will suffer great financial loss and hardship as a result of being deprived of said telephone facilities; that complainant needs said telephone facilities in connection with the conduct of his business; that complainant did not use or authorize the use of said telephone facilities as an instrumentality to violate the law nor in aiding or abetting such violation, and had no knowledge whatsoever that the telephone had been used to violate the law, if that is the fact; 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 27th day of October, 1964.

Frederick G. Holcomb
President

John E. Hildner

Everett C. Kays

George T. Trover

William B. Burnett
Commissioners