

ORIGINAL

Decision No. 68285

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DAIZOLU LA VERNE LITTLETON,)
 Complainant,)
 vs.)
 THE PACIFIC TELEPHONE AND)
 TELEGRAPH COMPANY, a)
 Corporation,)
 Defendant.)

Case No. 7949

Wardell G. Moss, for complainant.
Lawler, Felix & Hall, by Robert C. Coppo,
 for defendant.
 Roger Arnebergh, City Attorney, by
James Henry Kline, for the Police
 Department of the City of Los Angeles,
 intervener.

O P I N I O N

Complainant seeks restoration of telephone service at 1293 Ridgely Drive, Los Angeles, California. Interim restoration was ordered pending further order (Decision No. 67640, dated August 4, 1964).

Defendant's answer alleges that on or about April 23, 1964, it had reasonable cause to believe that service to Daizolu Littleton, under number 935-0943 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 October 29, 1964.

By letter of April 21, 1964, the Chief of Police of the City of Los Angeles advised defendant that the telephone under numbers 931-6096, 935-0943 and 936-8101 was being used for the purpose of arranging appointments in order to carry on the practice of prostitution in violation of Penal Code Section 647b, and requested disconnection (Exhibit 1).

Complainant testified that she is a school teacher, and the mother of two children who are in school and that she needs a telephone to keep in touch with her work and the school, and for medical necessities.

Complainant further testified that she has moved to 5186 West Washington Boulevard, Los Angeles, and she has great need for telephone service, and she did not and will not use the telephone for any unlawful purpose.

A deputy city attorney appeared and cross-examined the complainant, but no testimony was offered on behalf of 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 service.

O R D E R

IT IS ORDERED that Decision No. 67640, dated August 4, 1964, temporarily restoring service to complainant, is amended to show that it is for the installation of new service at 5186 West Washington Boulevard, Los Angeles, and, as such, that it 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 30th day of November, 1964.

Fredrick B. Heblhoff
President

Carl E. Hitchcock

Everett W. Page

George T. Grover

William L. Bennett
Commissioners