

Decision No. 68421

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

LEON GASPARRO, doing business
as LEON'S MARKET,

Complainant,

vs.

PACIFIC TELEPHONE,
a corporation

Defendant.

Case No. 8085

ORDER GRANTING INTERIM RELIEF

Leon Gasparro, doing business as Leon's Market, of 4992
Huntington Drive South, Los Angeles 32, California, having filed a
verified complaint alleging in substance that complainant's business
telephone number is Capitol 2-5890; that on December 10, 1964
officers of the Los Angeles Police Department arrested complainant
on a charge of suspicion of bookmaking and removed the telephone;
that complainant had no knowledge whatsoever of the circumstances
by which said communication facility was disconnected; that com-
plainant has requested the return of said facilities, but that said
request has been refused; that in truth and in fact said communica-
tion facility never was used by complainant as an instrumentality
to violate the law nor by anyone else to complainant's knowledge,
nor in aiding or abetting the violation of the law, but that it was
used solely and exclusively for business and personal calls; that
said telephone facilities are necessary in the conduct of complain-
ant's business; that complainant has suffered irreparable damages
and injuries to his reputation and to his business; that said
market is the only means of livelihood for the maintenance and
support of complainant and his family; 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 5th day of JANUARY, 1965.

Frederick B. Holdhoff
President

Ed E. [Signature]

George E. Grover

William W. [Signature]

Commissioners