

Decision No. 68422**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

NICHOLAS RADMILOVICH, also known
as MILO NICHOLAS,

Complainant,

vs.

Case No. 8089

PACIFIC TELEPHONE & TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

NICHOLAS RADMILOVICH, also known as MILO NICHOLAS, of 405 Palmcrest Drive, Apartment 5, Daly City, California, having filed a verified complaint alleging in substance that on the 6th day of October, 1964, special agents of the United States Treasury Department together with members of the Daly City Police Department arrested complainant and charged said complainant with violation of the United States Code -- Evasion of Occupational Tax on Wagering; that on the 24th day of November, 1964, complainant was arraigned before the United States District Court and upon the motion of complainant herein to exclude and suppress the evidence obtained at the time of the arrest of complainant, said matter was continued until January 7, 1965 for hearing; that on or about the 28th day of October, 1964, complainant received a letter from defendant stating defendant was discontinuing communication service that had been furnished complainant under the number 755-9209 as defendant was informed that the communication service furnished to complainant was being used as an instrumentality to violate or to aid and abet the violation of the law; that the defendant requested that said telephone facilities be restored, but defendant has refused to do so; that complainant herein has never at any time been engaged in bookmaking activities or any other criminal activity upon the aforesaid described premises; that on or about

the 20th day of January, 1962, complainant sustained a severe, acute posterior myocardial infarction and has ever since manifested angina pectoris and diminished myocardial and coronary circulatory reserve; that from on or about January 20, 1962, until about June, 1963, complainant was under the professional care of a physician; that since the month of June, 1963, because of his serious cardiac condition, complainant has been and now is under the professional care of another physician who wrote a statement indicating that complainant needs the restoration of telephone facilities in order that he may procure medical assistance in an emergency; that complainant will suffer a hardship if deprived of said telephone facilities; that complainant seeks restoration of said telephone facilities; 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, 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 3rd day of

January, 1962

Frederick B. Hallock
President
George T. Hoover
William C. Bernard

Commissioners