

Decision No. 68490**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GARY C. SPEARE dba LITTLE HAWAII,
Complainant,

vs.

CASE NO. 8094

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

GARY C. SPEARE, doing business as LITTLE HAWAII, of 3101 West 8th Street, Los Angeles, California, having filed a verified complaint alleging in substance that prior to July, 1964, complainant was a subscriber and user of telephone service furnished by defendant under number DU 42687, located at 3101 West 8th Street, Los Angeles, California; that on or about July, 1964, the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the office of the Los Angeles Police Department; that complainant did not use and does not now intend to use said telephone facilities as instrumentalities to violate the law nor to aid or abet such violation; that complainant has no knowledge of any illegal activities being conducted at said premises or over said telephone facilities; that complainant has made demand upon defendant to have the said telephone facilities restored, but defendant has refused and does now still refuse to do so; that complainant has suffered and will continue to suffer irreparable injury to his reputation and will suffer great hardship, financial and otherwise, if deprived of said telephone facilities; that complainant seeks restoration of 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 19th day of JANUARY, 1965.

Frederic B. Hallock
President
George H. Crowder
William W. Bennett

Commissioners