

Decision No. 68680

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IDA LEE LEFFALL,

Complainant,

vs.

Case No. 8045

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Ida Lee Leffall, in propria persona.
Lawler, Felix & Hall, by Robert C. Coppo,
for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 1125 East 88th Place, Los Angeles, California. Interim restoration was ordered pending further order (Decision No. 68194, dated November 10, 1964).

Defendant's answer alleges that on or about May 28, 1964, it had reasonable cause to believe that service to Ida L. Leffall, under number 585-1071 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, California, on January 18, 1965.

By letter of May 25, 1964, the Sheriff of the County of Los Angeles advised defendant that the telephone under number LU 5-1071 was being used to disseminate horse-racing information used in connection with bookmaking in violation of Penal Code Section 337a, and requested disconnection (Exhibit 1).

Complainant testified that she has recently been in the hospital and needs telephone service for medical reasons, and for her tenants and a dry cleaning business.

Complainant further testified that her telephone was disconnected over five months; she has great need for telephone service, and she did not and will not use the telephone for any unlawful purpose.

There was no appearance by or testimony from any law enforcement agency.

We find that defendant's action was based upon reasonable cause, and that the evidence fails to show that the telephone was used for any illegal purpose. We conclude that complainant is entitled to restoration of service.

O R D E R

IT IS ORDERED that Decision No. 68194, dated November 10, 1964, temporarily restoring service to complainant, 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 Los Angeles, California, this 22 day of MARCH, 1965.

Fredrick B. Halaloff
President

John S. Mitchell

George H. Hoover

W. J. ...

William S. ...
Commissioners