

RC

**ORIGINAL**

Decision No. 68737

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JOHN E. SIMONELLI,  
(Punky's),

Complainant,

vs.

Case No. 8138

THE PACIFIC TELEPHONE AND TELEPHONE  
COMPANY, a Corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

JOHN E. SIMONELLI, doing business as Punky's, of 41 West Valley Boulevard, Alhambra, California, having filed a verified complaint alleging in substance that complainant was a user and subscriber of telephone service furnished by defendant under the number of 282-5876; that on or about February 18, 1965 the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the Los Angeles County Sheriff's Office; that complainant has not used and does not now intend to use said telephone facilities as instrumentalities to violate the law nor in aiding or abetting such violations; that complainant has made demand upon defendant to have 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 great hardship if deprived of said telephone facilities; that complainant has not at any time engaged in any illegal or improper activities; that the telephone facilities are necessary in the conduct of complainant's business; 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 17<sup>TH</sup> day of MARCH, 1965.

Fredrick B. Halbluff  
President  
George G. Trover  
William W. Bennett  
Commissioners