

**ORIGINAL**

Decision No. 68794

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

VIRGINIA LOUIE,  
 )  
 ) COMPLAINTANT,  
 )  
 )  
 ) vs.  
 )  
 ) THE PACIFIC TELEPHONE COMPANY,  
 ) A CORPORATION,  
 )  
 ) DEFENDANT.  
 )

Case No. 8044

Virginia G. Louie, in propria persona.  
Lawler, Felix & Hall, by Robert C. Coppo,  
 for defendant.  
Roger Arnebergh, City Attorney, by James H. Kline,  
 for the Police Department of the  
 City of Los Angeles, intervener.

O P I N I O N

Complainant seeks restoration of telephone service at 317 West 52nd Place, Los Angeles, California. Interim restoration was ordered pending further order (Decision No. 68193, dated November 10, 1964).

Defendant's answer alleges that on or about September 30, 1964, it had reasonable cause to believe that service to Virginia Louie, under number 234-3796, 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 on February 25, 1965.

By letter of September 29, 1964, the Chief of Police of the City of Los Angeles advised defendant that the telephone under number AD 43796 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 was not present when the officers entered her home and disconnected her telephone; that they arrested her friend; that she was not arrested or charged with any offense; and that she has no knowledge of any illegal use of her telephone.

Complainant further testified that she has moved and her new address is 6605 - 4th Avenue, Los Angeles 43, California; she has great need for telephone service, and she did not and will not use the telephone for any unlawful purpose.

A deputy city attorney appeared and cross-examined the complainant, but no testimony was offered on behalf of any law enforcement agency.

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

O R D E R

IT IS ORDERED that Decision No. 68193, dated November 10, 1964, temporarily restoring service to complainant, is amended to

show that it is for the installation of new service at 6605 - 4th Avenue, Los Angeles 43, California, and, as such, that it 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 San Francisco, California, this 30th day of March, 1965.

Fredrick B. Halbach  
President  
John E. Mitchell  
George H. Grover  
August  
William L. Bennett  
Commissioners