

**ORIGINAL**Decision No. 68843

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GERTRUDE ARMSTRONG,

Complainant,

vs.

THE PACIFIC TELEPHONE AND  
TELEGRAPH COMPANY, a  
corporation,

Defendant.

Case No. 8070  
(Filed December 3, 1964)Terry A. Francois, for complainant.James F. Kirkham, for defendant.O P I N I O N

Complainant seeks restoration of telephone service at 1739 O'Farrell Street, San Francisco, California. Interim restoration was ordered pending further order (Decision No. 68336, dated December 15, 1964).

Defendant's answer alleges that on or about November 30, 1964, it had reasonable cause to believe that service to complainant under number FI 69899 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 Rowe at San Francisco on March 5, 1965.

Complainant testified that she has great need for telephone service, and that she has never used, and will not use, the telephone for any unlawful purpose. There was no appearance by or testimony from any law enforcement agency. Counsel stipulated that defendant acted reasonably.

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. The Commission concludes that complainant is entitled to service.

ORDER

IT IS ORDERED that Decision No. 68336, 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 San Francisco, California, this 6th day of April, 1965.

Fredrick B. Hallock  
 President

George A. Hoover  
 Commissioner

William W. Beards  
 Commissioners