

Decision No. 68948

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JAMES E. KIMBALL, KENNETH KIMBALL,
dba TALLY HO TAVERN,

Complainants,

vs.

Case No. 8161

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

JAMES E. KIMBALL and KENNETH KIMBALL, doing business as, TALLY HO TAVERN, of 10855 Venice Boulevard, Los Angeles, California, having filed a verified complaint alleging in substance that complainants were subscribers and users of telephone service furnished by defendant under the number 836-9801; that on or about March 30, 1965, the telephone facilities of complainants were removed and disconnected by the defendant pursuant to instructions from the office of the Los Angeles Police Department; that complainants did not use and do not now intend to use said telephone facilities as instrumentalities to violate the law nor in aiding or abetting such violation; that complainants have no knowledge of any illegal activities being conducted at said premises or over said telephone facilities; that complainants have made demand upon defendant to have said telephone facilities restored, but defendant has refused and does now still refuse to do so; that complainants have suffered and will continue to suffer great hardship if deprived of said telephone facilities; that one of the complainants is a plumber and has emergency calls placed through said telephone; that it is also necessary for them to be able to contact the police, fire or medical services; 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 complainants.
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 27th day of

April, 1965.

Frederick B. Hohlhoff
President

[Signature]

George A. Trover

[Signature]

[Signature]
Commissioners