

ORIGINAL

Decision No. 69192

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ANNA MAY LAWSON,

COMPLAINANT,

VS.

PACIFIC TELEPHONE COMPANY OF CALIFORNIA, A CORPORATION,

DEFENDANT.

Case No. 8140

Mrs. Anna May Lawson, in propria persona.
Lawler, Felix & Hall, by A. J. Krappman, Jr.,
for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 2816½ West Blvd., Los Angeles 16, California. Interim restoration was ordered pending further order (Decision No. 68738, dated March 17, 1965).

Defendant's answer alleges that on or about March 5, 1965, it had reasonable cause to believe that service to Anna May Lawson under number 732-5758 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 May 4, 1965.

By letter of March 3, 1965, the Chief of Police of the City of Los Angeles advised defendant that the telephone under number 732-5758 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 rented a room to tenants; that she was in the General Hospital when her telephone was removed; that she is not acquainted with the man who was arrested; and that she has no knowledge of any illegal use of her telephone.

Complainant further testified that she has been ill; that she has high blood pressure and needs telephone service for medical reasons; that she does not use the telephone for bookmaking; and that 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 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. 68738, dated March 17, 1965, 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 8th day of JUNE, 1965.

Fredrick B. Holdhoff
President

John E. ...

George J. ...

Augustus ...

William L. ...
Commissioners