

**ORIGINAL**

Decision No. 69274

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

PAUL EDWARD SANCHEZ, )  
 )  
 Complainant, )  
 )  
 vs. )  
 )  
 PACIFIC TELEPHONE, a corporation, )  
 )  
 Defendant. )

Case No. 8146  
(Filed March 16, 1965)

Paul Edward Sanchez in propria persona.  
Aaron M. Peck for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 3925 California Street, San Francisco, California. Interim restoration was ordered pending further order (Decision No. 68765, dated March 23, 1965).

Defendant's answer stated its correct name as The Pacific Telephone and Telegraph Company and alleged that on or about April 6, 1964, it had reason to believe that service to complainant under SK 2-8830 was being or was to be used as an instrumentality 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.

By letter of April 1, 1964, the Police Department of the City and County of San Francisco advised defendant that the telephone under number SK 2-8830 was being used in violation of the laws of the State of California (Bookmaking).

Complainant testified that from March 28, 1964 to April 20, 1964, he was in Mt. Zion Hospital recovering from injuries, that he has great need for telephone service, and that he has never used and will not use the telephone for any illegal 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. The Commission concludes that complainant is entitled to service.

O R D E R

IT IS ORDERED that Decision No. 68765 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 22nd day of JUNE, 1965.

Fredrick L. Holdcraft  
President

George T. Grover

Augusta

William L. Bennett  
Commissioners