

**ORIGINAL**Decision No. 69312

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SYLVIA DOLT,

Complainant,

Case No. 8122

vs

THE PACIFIC TELEPHONE  
AND TELEGRAPH COMPANY,  
a corporation,

Defendant.

Sylvia M. Dolt, in propria persona.  
Lawler, Felix & Hall, by Robert C.  
Coppo, for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 4512 W. 156th Street, Lawndale, California. Interim restoration was ordered pending further order (Decision No. 68551, dated February 9, 1965).

Defendant's answer alleges that on or about January 29, 1965, it had reasonable cause to believe that service to Sylvia Dolt, under number 679-5451, 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 before Examiner DeWolf at Los Angeles on April 13, 1965, and May 4, 1965, and submitted on the latter date.

This matter was set for hearing on March 25, 1965, at which time it was called and no evidence taken and then continued to April 13, 1965, at 3:00 p.m. In the afternoon of April 13, 1965, the entire Junipero Serra Building, including the hearing room, was evacuated on account of a bomb threat, and at 3:15 p.m., the building was reopened and when complainant reached the hearing room the attorneys for defendant had left the building. The complainant requested to have the hearing reopened and her testimony taken and agreed to waive cross-examination of defendant's witnesses. Complainant testified that she needs telephone service to perform her work and earn a livelihood; that the statements in her complaint are true, and that she did not and will not use the telephone for any unlawful purpose.

The matter was then continued to May 4, 1965, to take the evidence of defendant.

Defendant appeared on May 4, 1965, and introduced into evidence a letter dated January 27, 1965, from the Sheriff of the County of Los Angeles which advised defendant that the telephone under number OS 95451 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).

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. Complainant is entitled to restoration of service.

ORDER

IT IS ORDERED that Decision No. 68551, dated February 9, 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 19th day of JUNE, 1965.

Frederick B. Halperin  
President

John J. ...

George E. ...

Augusta ...

William ...  
Commissioners