

ORIGINAL

Decision No. 69605

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CLARENCE V. OWEN,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case No. 8251

ORDER GRANTING INTERIM RELIEF

CLARENCE V. OWEN, of 10815 Camarillo Street, North Hollywood, California, having filed a verified complaint alleging in substance that complainant was a subscriber and user of telephone service furnished by defendant under number of 877-9398; that on or about July 1, 1965, the telephone facilities of complainant were removed and disconnected by the defendant pursuant to instructions from the Los Angeles Police Department; that complainant did not use and does not now intend to use said telephone facilities as instrumentalities to violate the law, nor in aiding or abetting such violation; that complainant has made demand upon defendant to have said telephone facilities restored, but defendant has refused and does now still refuse to do so; that complainant has suffered and will continue to suffer irreparable injury to his reputation and will suffer great hardship if deprived of said telephone facilities; that complainant is under the care of a medical doctor and it is imperative that complainant have continuous telephone service; 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

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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 complainant.
- 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 24th day of August, 1965.

Fredrick B. Holdriff
President

Robert E. Hatcher

George T. Hoover

Augustus

Commissioners

I agree with the restoration of service here but as to the entire procedure see my views set forth by way of dissent in Order P.T. & T. C. 7784 holding the removal of service contrary to law. William B. Demme