

ORIGINAL

Decision No. 69633

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

WILLIAM M. CATLIN,
 Complainant,
 vs.
 THE PACIFIC TELEPHONE and
 TELEGRAPH COMPANY, a corporation,
 Defendant.

Case No. 8184
(Filed May 18, 1965)

William M. Catlin, in propria persona.
James F. Kirkham and Walter R. Allen, for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 2491 Mission Street, San Francisco, California. Interim restoration was ordered, pending further order, by Decision No. 69154 issued June 1, 1965.

Defendant's answer alleges that on or about May 4, 1965, it had reasonable cause to believe that service to complainant under number Mission 8-7272 was being 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 Rowe in San Francisco on August 4, 1965.

Defendant introduced into evidence the letter from the police department to show that it had acted reasonably.

Complainant testified that he has great need for telephone service, and he 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 the evidence fails to show that the telephone was used for any illegal purpose. The Commission concludes that complainant is entitled to restoration of telephone service.

ORDER

IT IS ORDERED that Decision No. 69154, dated June 1, 1965, temporarily restoring service to complainant, is made permanent.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 31st day of August, 1965.

Richard E. Mitchell
 President

George J. Grover

Wojahn

 Commissioners

*I dissent. See my
 views in C 7784, Dec. 69510.
 Sullivan by Beune*

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.