

Decision No. 69641**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CHET D. LYBARGER,

Complainant,

vs.

Case No. 8255

PACIFIC TELEPHONE COMPANY,
a Corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

Chet D. Lybarger, owner-operator of a garage located at 2129 North Broadway, Los Angeles, California, having filed a verified complaint alleging in substance that complainant was a subscriber and user of telephone service furnished by defendant under the number CApitol 1-6461 for fifteen years, and under the number of CApitol 1-2536 for six years; that on or about July 24, 1965, the telephone facilities of complainant were removed and disconnected by Los Angeles police officers who simultaneously caused complainant to be arrested on a charge of suspicion of bookmaking; that complainant is not a bookmaker; that he never used, and does not intend to use said telephone facilities as instrumentalities to violate the law, or in aiding or abetting such violation; that complainant has made demand upon defendant for restoration of said facilities but defendant has refused, and still refuses to do so; that complainant's garage covers an extensive area which made it necessary for him to have two telephones; that the removal of all of said telephone facilities has seriously hampered the expedition of the large volume of work that is continuously on hand; that complainant is being harassed by customers for delays in completing work; 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 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 8th day of September, 1965.

Fredrick B. Holblitt
President

George H. Trover

Augustine

Commissioners

*Indicates as set forth
in C. 7754 p. 10
Holloman D. Dunsell*