

ORIGINALDecision No. 69794

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

WILLIE ROLAND, JR.,

Complainant,

vs.

Case No. 8224

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Willie Roland, Jr., in propria persona.
Walter R. Allen, for defendant.O P I N I O N

On July 16, 1965, complainant filed his complaint requesting restoration of telephone service at 1519 Oak Street, San Francisco, California. Interim restoration was ordered pending further order by Decision No. 69418, issued July 21, 1965.

Defendant's answer alleges that on or about May 24, 1965, it had reasonable cause to believe that service to complainant under number 861-6918 was being used as an instrumentality directly or indirectly to violate or aid and abet violation of law, and therefore defendant was required to discontinue 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 September 23, 1965.

Complainant testified that he has great need for telephone service. He stated that he had not and would not use the telephone for any illegal purpose.

Defendant introduced into evidence letters from the Chief of Police of San Francisco indicating that this telephone had been used for an illegal purpose. There was no appearance by or testimony from any law enforcement agency.

We find that defendant's action in removing the telephone 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 service.

O R D E R

IT IS ORDERED that Decision No. 69418, temporarily restoring service to complainant is made permanent, subject to defendant's tariff provisions and applicable law.

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

Dated at San Francisco, California, this 13th day of OCTOBER, 1965.

Fredrick B. Holteff
President
George L. Grover
Margaret

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

I dissent to this entire procedure. See my own in the Bell case. William J. ...