

Decision No. 70154**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JAMES BEARD,

Petitioner,

vs.

Case No. 8321

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a California corporation,

Respondent.

ORDER GRANTING INTERIM RELIEF

JAMES BEARD, of 6123 Scenic Avenue, Los Angeles, California, having filed a verified petition alleging in substance that prior to December 9, 1965, petitioner was a subscriber and user of telephone service furnished by respondent under the phone numbers 467-0062, 467-0174, 467-2557, and 467-0202; that on or about December 9, 1965, said telephone facilities were removed and disconnected by respondent pursuant to instructions from the office of the Los Angeles Police Department advising that petitioner was using said facilities for unlawful purposes; that petitioner did not use and does not now intend to use said telephone facilities as an instrumentality to violate the law or in aiding or abetting violations of the law; that petitioner has no knowledge of any illegal activities being conducted at said premises over said telephone facilities; that petitioner has made demand upon respondent for the restoration of said telephone facilities, but respondent has refused and still refuses to do so; that petitioner has suffered and will continue to suffer irreparable injury to his reputation and will suffer great hardship if deprived of said telephone facilities; that petitioner and his roommates conduct business by appointment; that

appointments are made over the telephone, and the discontinuance of service seriously interferes with the operation of said business; that petitioner and his roommates are in the business of performing services, i.e., giving massages to men by appointment; that it is, therefore, imperative that petitioner 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 California corporation, is hereby directed to reconnect and restore telephone service to petitioner and to maintain such service pending further Commission order herein, said service to be furnished pursuant to respondent's filed tariff rates and rules applicable thereto. The petition 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 petition herein, to be personally served upon The Pacific Telephone and Telegraph Company, a California corporation, and said respondent 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 petitioner.
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 4th day of JANUARY, 1966.

Desert of Calif.
J. Williams, General

Frederick B. Hollister

President

George T. Thove

Commissioners