

Decision No. 70182**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

EUGENE E. ROTHER,

Complainant,

vs.

Case No. 8283

PACIFIC TELEPHONE & TELEGRAPH CO.,
a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

EUGENE E. ROTHER, dba GENE'S BARBER SHOP, of 8728-1/4 Sepulveda Blvd., Los Angeles 45, California, having filed a verified complaint alleging in substance that prior to September 29, 1965, complainant was a subscriber and user of telephone service furnished by defendant Pacific Telephone & Telegraph Company under the number 670-2626 at complainant's place of business; that on September 10, 1965, Mr. Jules Tuggle, porter at complainant's place of business, was arrested on those premises and charged with bookmaking; that on September 20, 1965, Mr. Tuggle was brought to trial and the case was dismissed for lack of evidence; that on September 29, 1965, telephone facilities were removed and disconnected by defendant pursuant to instructions from the Sheriff's Department of Los Angeles County; that complainant was out of town on a three-week vacation at the time of Mr. Tuggle's arrest; that the telephone belongs to complainant rather than to Mr. Tuggle; that telephone is of such importance to the complainant's business that he would not expose himself to the possibility of its being discontinued by allowing it to be used for illegal purposes, nor has it ever been used in violation of the law to the complainant's knowledge; that complainant requires telephone service for his business; that complainant seeks restoration of said telephone facilities,

and good cause appearing,

IT IS ORDERED that Pacific Telephone & 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 personally served upon Pacific Telephone & 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 5th day of JANUARY, 1966.

Fredrick B. Holdoff
 President

John E. [unclear]

Alverson

Commissioners

2. Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.
2. Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.