

Decision No. 70192**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MARMAC'S RESTAURANT,

Complainant,

vs.

Case No. 8323

THE PACIFIC TELEPHONE
AND TELEGRAPH COMPANY,
a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

MARMAC'S RESTAURANT, of 12102 Long Beach Blvd., Lynwood, California, having filed a verified complaint alleging in substance that prior to December 8, 1965, complainant was a subscriber and user of telephone service furnished by defendant under the number 639-9898; that on or about December 8, 1965, said telephone facilities were removed and disconnected by the defendant pursuant to instructions from the office of the Sheriff of Los Angeles County; that complainant did not use and does not now intend to use said telephone facilities as instrumentalities to violate the law nor in aiding or abetting such violation; that complainant has no knowledge of any illegal activities being conducted at said premises or over said telephone facilities; that complainant has made demand upon defendant to have the said telephone facilities restored, but defendant has refused and does now still refuse to do so; that complainant has suffered and will continue to suffer irreparable injury to his reputation and will suffer great hardship if deprived of said telephone facilities; that it is, therefore, imperative that complainant 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 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 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 11th day of JANUARY, 1966.

Frederick B. Helms
President

Richard E. Mitchell

George L. Brown

Walter

William W. Bennett
Commissioners

*I dissent per Tolol,
William W. Bennett*