

ORIGINALDecision No. 70244

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Carl Bowles,

Complainant,

vs.

Case No. 8248

The Pacific Telephone and
Telegraph Company,

Defendant.

ORDER DENYING INTERIM RELIEF

By his complaint, filed August 17, 1965, Carl Bowles requests that The Pacific Telephone and Telegraph Company be ordered either to supply a device known as Marcom's Call Diverter or to permit complainant to purchase and install said device.

A public hearing was held at San Francisco on December 8 and 9, 1965, before Commissioner Grover and Examiner Daly. The matter has been continued to February 2, 1966.

The purpose of the device is to divert calls from an unattended telephone to one that is attended. Complainant does business as Superior Sales Company and frequently must be away from his office. On such occasions he desires to have all office calls diverted to another telephone.

During the course of hearing, complainant's attorney made a motion for an interim order directing defendant to supply the Marcom Call Diverter pending final determination of the matter. Complainant testified that he has lost one account because his office telephone calls were not received and he is threatened with the loss of others.

After consideration the Commission finds that the record fails to indicate that complainant is confronted with the type of situation which would justify the granting of the relief requested prior to receipt of all the pertinent evidence to be presented. There appears to be no threat of an immediate and substantial financial loss. Although they may not be as completely satisfactory, complainant can avail himself of existing services on a temporary basis, such as an answering service or a recorded answering device.

IT IS ORDERED that complainant's motion for interim relief is hereby denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 18th day of JANUARY, 1966.

Fredrick B. Hallock
President
George F. Hoover
Commissioners
William L. Bernard

Interim for Jolly
William L. Bernard