

Decision No. 70487**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RICHARD V. LOVEMAN,

Petitioner,

vs.

Case No. 8383

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a California corporation,

Respondent.

ORDER GRANTING INTERIM RELIEF

RICHARD V. LOVEMAN, of 7268-1/2 Fountain Avenue, Los Angeles, California, having filed a verified complaint alleging in substance that prior to March 23, 1966, petitioner was a subscriber and user of telephone service furnished by respondent under the number HO 55578; that on or about March 23, 1966, said telephone facilities were removed and disconnected by the respondent pursuant to instructions from the office of the Los Angeles Police Department; that petitioner 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 petitioner has no knowledge of any illegal activities being conducted at said premises or over said telephone facilities; that petitioner has made demand upon respondent to have the said telephone facilities restored, but respondent has refused and does now still refuse 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 conducts 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 is 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 petitioner 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 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 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 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 29th day of MARCH, 1966.

Frederick B. Holoboff
President

John W. Mitchell

George E. Grover

Augustus

Commissioners

*1 dissent per Solal.
William B. Bennett*