

**ORIGINAL**

Decision No. 70528

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Beatrice Harrison,

Complainant,

VS.

Case No. 8301

THE PACIFIC TELEPHONE  
AND TELEGRAPH COMPANY,  
a corporation,

Defendant.

Mrs. Beatrice Harrison, in propria  
persona.  
Lawler, Felix & Hall, by Orville O.  
Orr, Jr., and Richard L. Fruin, Jr.,  
for defendant.

O P I N I O N

Complainant seeks restoration of telephone service at 510 W. 59th Street, Los Angeles, California. Interim restoration was ordered pending further order (Decision No. 70014, dated November 30, 1965).

Defendant's answer alleges that on or about October 22, 1965, it had reasonable cause to believe that service to Beatrice Harrison, under number 753-0410, was being or was to be used as an instrumentality directly or indirectly to violate or aid and abet violation of law, and therefore defendant was required to disconnect service pursuant to the decision in Re Telephone Disconnection, 47 Cal. P.U.C. 853.

The matter was heard and submitted before Examiner DeWolf at Los Angeles on February 10, 1966.

By letter of October 21, 1965, the Chief of Police of the City of Los Angeles advised defendant that the telephone under number 753-0410 was being used to disseminate horse-racing information used in connection with bookmaking in violation of Penal Code Section 337a, and requested disconnection (Exhibit 1).

Complainant testified that she has daily employment that requires telephone service in order to keep her appointments; that she has moved and her new address is 803-3/4 W. 68th Street, where interim telephone service has been installed, and she did not and will not use the telephone for any unlawful purpose.

There was no appearance by or testimony from any law enforcement agency.

We find that defendant's action was based upon reasonable cause, and the evidence fails to show that the telephone was used for any illegal purpose. Complainant is entitled to restoration of service.

O R D E R

IT IS ORDERED that Decision No. 70014, dated November 30, 1965, temporarily restoring service to complainant, is made

permanent, subject to defendant's tariff provisions and existing applicable law.

The effective date of this order shall be twenty days after the date hereof.

Dated at <sup>116.</sup> ~~at~~ San Francisco, California, this 5th day of APRIL, 1966.

Frederick B. Holbrook  
President

George J. Crow

Augusta

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

*Edward J. [unclear]*  
*William B. [unclear]*