

**ORIGINAL**Decision No. 70608

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RAY NAKAMURA,

Complainant,

vs.

Case No. 8394

PACIFIC TELEPHONE, a  
Corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

RAY NAKAMURA, of 3020 West Council, Los Angeles 26, California, has filed a verified complaint alleging in substance that prior to his arrest on April 15, 1966, he was a subscriber and user of telephone service furnished by defendant The Pacific Telephone and Telegraph Company (described by complainant as Pacific Telephone), number 387-2748; that on or about that date, his telephone facility was removed and disconnected by law enforcement officers who caused him to be arrested on a charge of suspicion of bookmaking; that he is not a bookmaker; that he never used and does not intend to use said telephone facility as an instrumentality to violate the law or in aiding or abetting violation of the law; that he has made demand upon defendant for restoration of said telephone facility, but said defendant has refused and still refuses to do so; that from time to time it has been necessary for him to contact the family physician at night on behalf of his wife, due to an acute condition which manifests itself at frequent and unexpected intervals; and without their telephone available serious

consequences could occur before their doctor could be contacted.

Complainant seeks an ex parte order directing defendant to immediately restore the communication facility hereinabove referred to, pending a hearing on this matter; 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 26<sup>th</sup> day of APRIL 1, 1966.

William B. Holshoff  
President  
George E. Grover  
Augusta

Commissioners

1 dissent per Sobel.  
William B. Holshoff