

ORIGINALDecision No. ~~70777~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORVILLE KILBURN,

Complainant,

vs.

Case No. 8428

PACIFIC TELEPHONE,
a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

ORVILLE KILBURN, of 10537 Long Beach Boulevard, Lynwood, California, having filed a verified complaint alleging in substance that prior to May 17, 1966, complainant was a subscriber and user of telephone service furnished by defendant under the number 567-3661; that on or about May 17, 1966, said telephone facility was removed and subsequently disconnected by law enforcement officers who caused complainant to be arrested on a charge of suspicion of bookmaking; that complainant 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 a violation of the law; that complainant has made demand upon defendant for restoration of said telephone facility but said defendant has refused, and still refuses to do so; that in the early part of March of this year complainant opened a barber shop at the above address; that 75% of the business is dependent upon telephone service appointments and to be deprived of this telephone contact would cause complainant to suffer irreparable injury and great hardship; that it is complainant's only source of income without which he would be obliged to close his shop;

that complainant seeks restoration of said telephone facility 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 1st day of JUNE, 1966.

Frederick B. Hiltzoff
President
George T. Hoover
August

Commissioners

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

2. Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.