

ORIGINAL

Decision No. 71538

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

GEORGE POMPEI, ANITA POMPEI,
Plaintiffs,

vs.

PACIFIC TELEPHONE &
TELEGRAPH COMPANY,
Defendant.

Case No. 8484
(Filed July 22, 1966)

Dallas D. Brock, Jr., for complainants.
Walter R. Allen, Pillsbury, Madison &
Sutro, for defendant.

O P I N I O N

On July 22, 1966, George Pompei and Anita Pompei, residing at 480 Vallejo Street, Apartment 9, San Francisco, California, filed a complaint against the defendant, alleging that their telephone service under number EXbrook 2-0642 had been discontinued without cause; that defendant refused to restore service, and that the complainants have never used and do not intend to use the telephone facilities as an instrument to violate the law or aid or abet violation of law. On August 2, 1966, the Commission ordered interim restoration of service (Decision No. 71061), pending its further order.

A public hearing was held before Examiner Porter on September 23, 1966 at San Francisco. There was no appearance by or testimony from any law enforcement agency.

Defendant disconnected the telephone service at 480 Vallejo Street, Apartment 9, San Francisco, California, relying upon information supplied by the Chief of Police of the City and County of San Francisco. Complainants stipulated that defendant had reasonable cause to discontinue said service.

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. The Commission concludes that complainants are entitled to restoration of telephone service.

O R D E R

IT IS ORDERED that Decision No. 71061 temporarily restoring service to complainants, 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 San Francisco, California, this 9th day of NOVEMBER, 1966.

[Signature]
President

George J. Hoover

Fredrick P. Holbluff

Argason

William B. Bernard
Commissioners