

Decision No. 71816

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RALPH DARK,

Complainant,

vs.

Case No. 8422

THE PACIFIC TELEPHONE  
AND TELEGRAPH COMPANY,  
a corporation,

Defendant.

Lawler, Felix & Hall, by Richard L. Fruin, Jr., for defendant.  
Roger Arnebergh, City Attorney, by Charles E. Mattson, for the Police Department of the City of Los Angeles, intervener.

O P I N I O N

Complainant seeks restoration of telephone service at 12253 Saticoy Street, North Hollywood, California. Interim restoration was ordered pending further order (Decision No. 70776, dated June 1, 1966).

Defendant's answer alleges that on or about May 11, 1966, it had reasonable cause to believe that service to Ralph Dark, under number 875-1587, 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.

The matter was called for hearing before Examiner DeWolf

C. 8422 lm \*\*

at Los Angeles on November 9, 1966, and complainant failed to appear, but defendant and City of Los Angeles, intervener, were present.

Defendant called one witness who testified to receipt of a letter marked Exhibit 1.

By letter of May 9, 1966, the Chief of Police of the City of Los Angeles advised defendant that the telephone under number 875-1587 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).

We find that defendant's action was based upon reasonable cause, and the complaint should be dismissed for failure of the complainant to appear.

O R D E R

IT IS ORDERED that the above-entitled complaint is hereby dismissed, and Interim Decision No. 70776, dated June 1, 1966, is hereby vacated. ✓

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

Dated at San Francisco, California, this 17<sup>th</sup> day of JANUARY, 1967.

[Signature]  
President

[Signature]

William W. Bennett

\_\_\_\_\_

\_\_\_\_\_ Commissioner