

ORIGINAL

Decision No. 71818

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

PATRICIA DOUBLEDAY,

Complainant,

vs.

THE PACIFIC TELEPHONE  
AND TELEGRAPH COMPANY,  
a corporation,

Defendant.

Case No. 8434

Patricia Doubleday, in propria persona.  
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  
919 North Serrano Avenue, Los Angeles, California. Interim restora-  
tion was ordered pending further order (Decision No. 70856, dated  
June 14, 1966.

Defendant's answer alleges that on or about May 18,  
1966, it had reasonable cause to believe that service to Patricia  
Doubleday, under number 463-3787, was being or was to be used as  
an instrumentality directly or indirectly to violate or aid and

abet violation of law, and that defendant was required to disconnect the service.

The matter was heard and submitted before Examiner DeWolf at Los Angeles on November 4, 1966.

By letter of May 16, 1966, the Chief of Police of the City of Los Angeles advised defendant that the telephone under number 463-3787 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 is employed at odd hours on a newspaper; must have telephone service to keep up with her work and to care for her small child; was not present when her telephone was removed by the police department, and does not know of any unlawful use of her telephone.

Complainant further testified that she has moved and her new address is 5678 Harold Way, Los Angeles, California; she has great need for telephone service, and she did not and will not use the telephone for any unlawful purpose.

A deputy city attorney appeared and cross-examined the complainant, but no testimony was offered on behalf of any law enforcement agency.

We find that the evidence fails to show that the telephone was used for any illegal purpose.

Complainant is entitled to service.

ORDER

IT IS ORDERED that Decision No. 70856, dated June 14, 1966, temporarily restoring service to complainant, is amended

to show that it is for the installation of service at her new address and, as such, that it 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 17th day of JANUARY, 1967.

*Robert E. Mitchell*  
President

*Augusta*

*Stella Bernice*

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Commissioners