

**ORIGINAL**Decision No. 71846

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JOSEPH ROSSI,

Complainant,

vs.

Case No. 8534

PACIFIC TELEPHONE & TELEGRAPH  
COMPANY, a corporation,

Defendant.

George J. Engler, for complainant.  
Fillsbury, Madison & Sutro, by  
Walter R. Allan, for defendant.

O P I N I O N

On September 23, 1966, Joseph Rossi residing at 38 - 15th Avenue, San Francisco, California, filed a complaint against the defendant, alleging his telephone service under OV 1-5150 located at 1705 - 9th Avenue had been discontinued without cause; that defendant refused service, and that complainant has never used and does not intend to use the telephone facilities as an instrument to violate the law or aid or abet violation of law. On September 27, 1966, the Commission ordered interim restoration of service (Decision No.71336), pending its further order.

A public hearing was held before Examiner Porter on November 21, 1966 at San Francisco. There was no appearance by or testimony from any law enforcement agency.

Defendant disconnected the telephone service at 1705 - 9th Avenue, San Francisco, California, relying upon information supplied by the Chief of Police of the City and County of San Francisco. Complainant stipulated that the 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 complainant is entitled to restoration of telephone service.

O R D E R

IT IS ORDERED that Decision No. 71336, temporarily restoring service to complainant, 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 17<sup>th</sup> day of JANUARY, 1967.

*E. N. [Signature]*  
President

*[Signature]*

*William W. Bennett*

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Commissioners