

SW/LM

ORIGINAL

Decision No. 72236

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SAUL HATKOFF, doing business
as SUNNY'S GLEN,

Complainant,

vs.

Case No. 8530

THE PACIFIC TELEPHONE
AND TELEGRAPH COMPANY,
a corporation,

Defendant.

Norman Kent, for complainant.
Lawler, Felix & Hall, by Richard L.
Fruin, Jr., for defendant.

O P I N I O N

On September 19, 1966, Saul Hatkoff, doing business as Sunny's Glen, of 2512 South Robertson Boulevard, Los Angeles, California, filed a complaint against the defendant, alleging his telephone service under VERmont 8-7574 located at 2512 South Robertson Boulevard, Los Angeles, California, had been discontinued without cause on September 1, 1966; that defendant refused to reconnect the 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. 71331), pending its further order.

A public hearing was held before Examiner DeWolf on February 16, 1967, at Los Angeles, California. There was no appearance by or testimony from any law enforcement agency.

Defendant disconnected the telephone service at 2512 South Robertson Boulevard, Los Angeles, California, relying upon information supplied by the Intelligence Division of the Internal Revenue Service of the United States Treasury Department. 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. Complainant is entitled to restoration of telephone service.

O R D E R

IT IS ORDERED that Decision No. 71331, dated September 27, 1966, 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 4th day of APRIL, 1967.

[Signature]
President

[Signature]

[Signature]

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Commissioners