

**ORIGINAL**

Decision No. 72238

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Paul E. Dominguez,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. 8567
	)	
Pacific Telephone and Telegraph	)	
Company,	)	
	)	
Respondent.	)	

Mathews, Lewis, Bergen & Henderson,  
 by Robert Bergen, for petitioner.  
 Gray, Cary, Ames & Frye, by James K. Smith, for respondent.

O P I N I O N

On December 1, 1966, Paul E. Dominguez, 1249 Marlene Street, El Cajon, California, filed a complaint against the defendant, alleging his telephone service under 714-295-7480, located at Paul's Barber Shop, 3987 Harney Street, San Diego, California, had been discontinued without cause on July 23, 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 December 6, 1966, the Commission ordered interim restoration of service (Decision No. 71676), pending its further order.

A public hearing was held before Examiner DeWolf on February 14, 1967, at San Diego, California. There was no appearance by or testimony from any law enforcement agency.

Defendant disconnected the telephone service at 3987 Harney Street, San Diego, California, relying upon information supplied by the Chief of Police of the City and County of San Diego. 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 service.

ORDER

IT IS ORDERED that Decision No. 71676, dated December 6, 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 4<sup>th</sup> day of APRIL, 1967.

[Signature]  
President  
[Signature]  
Attorney  
[Signature]  
[Signature]  
Commissioners