

SK

**ORIGINAL**

Decision No. 72266

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MERWYN H. PICKNEY,  
 Complainant,  
 vs.  
 THE PACIFIC TELEPHONE &  
 TELEGRAPH COMPANY, a corporation,  
 Defendant.

Case No. 8570  
(Filed December 30, 1966)

Joseph C. Haughey, for complainant.  
Walter R. Allan, Pillsbury, Madison & Sutro,  
 for defendant.

O P I N I O N

On December 19, 1966, Merwyn H. Pickney, residing at 555 Eddy Street, San Francisco, California, filed a complaint against the defendant, alleging his telephone service under number 776-2487 had been discontinued without cause; that the defendant refused service; and that complainant has never used and does not intend to use the telephone facilities as an instrumentality to violate the law or aid or abet violation of law. On December 21, 1966, the Commission ordered interim restoration of service (Decision No. 71740).

A public hearing was held before Examiner Porter on March 3, 1967, at San Francisco. There was no appearance by or testimony from any law enforcement agency.

Defendant disconnected the telephone service at 555 Eddy Street, San Francisco, relying upon information supplied by the

Chief of Police of the City and County of San Francisco. Complainant agreed 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 illegal purposes. The Commission concludes that complainant is entitled to restoration of telephone service.

O R D E R

IT IS ORDERED that Decision No. 71740, 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 11<sup>th</sup> day of APRIL, 1967.

[Signature]  
President

[Signature]

[Signature]

[Signature]  
Commissioners