

Decision No. 73706**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

WALTER PLOTKIN,
J. E. GIBBONS, and
RANDALL V. HENDRICKS,

Complainants,

vs.

Case No. 8763

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY,
a corporation,

Defendant.

ORDER GRANTING INTERIM RELIEF

Walter Plotkin, J. E. Gibbons, and Randall v. Hendricks, of 4255 Cloverdale Avenue, Baldwin Hills, California, having filed a verified complaint alleging in substance that prior to January 24, 1968, complainants were subscribers and users of telephone service furnished by defendant under numbers 292-9915; 295-2551 through 295-2554 (4-line rotary); 295-5215 and extension; and 293-6238 (3-line rotary); that on or about January 25, 1968, complainants received an "Order re Finding of Probable Cause" issued by the Superior Court in and for Los Angeles County that probable cause exists to believe that the said telephone service furnished to plaintiffs is used as an instrumentality to violate the law, or in aiding or abetting violation of the law; that they never used and do not intend to use said telephone facilities as an instrumentality to violate the law, or in aiding or abetting violation of the law; that complainants will suffer great and irreparable harm if deprived of said telephone facilities; that the telephones are essential to the operation of complainants'

business; that complainants seek to enjoin defendant from discontinuing said telephone service to complainants, and good cause appearing,

IT IS ORDERED that The Pacific Telephone and Telegraph Company, a corporation, is hereby directed to reconnect and restore telephone service to complainants if said service has already been discontinued and to maintain telephone service pending further Commission order herein, said service to be furnished pursuant to defendant's filed tariff rates and rules applicable thereto. The complaint will be set for hearing before such Commissioner or Examiner, and at such time and place, as may hereafter be designated.

The Secretary is directed as follows:

1. To cause a certified copy of this order, together with a copy of the complaint herein, to be personally served upon The Pacific Telephone and Telegraph Company, a corporation, and said defendant is directed to serve and file its reply within ten (10) days after said service.
2. To cause a copy of this order to be mailed to complainants.
3. To cause appropriate notice of hearing to be mailed to the parties at least ten (10) days prior to the hearing herein.

Dated at San Francisco, California, this 6th day of February, 1968.

President

William W. Bennett

Secretary

William J. Quinn

Sheel P. Moussey
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.