

**ORIGINAL**Decision No. 73708

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FRANK A. MILANO dba COAST  
TO COAST TURF PUBLICATIONS,

Complainant,

vs.

THE PACIFIC TELEPHONE AND  
TELEGRAPH COMPANY, a corpora-  
tion,

Defendant.

Case No. 8765

ORDER GRANTING INTERIM RELIEF

Frank A. Milano dba COAST TO COAST TURF PUBLICATIONS of 5504 Hollywood Boulevard, Apartment #204, Hollywood, California, having filed a verified complaint alleging in substance that prior to January 29, 1968, complainant was a subscriber and user of telephone service furnished by defendant under numbers 469-6181, etc., terminating in 29 line multi-plex rotary equipment; 466-2471, etc., terminating in 12 line multi-plex rotary equipment and 469-6838; that on or about February 1, 1968, complainant received an "Order re Finding of Probable Cause" from the Superior Court in and for Los Angeles County that probable cause exists to believe that the said telephone service furnished to plaintiff is used as an instrumentality, directly or indirectly, to violate or assist in the violation of the law; that he never used, and does not intend to use, said telephone facility as an instrumentality to violate the law, or in aiding or abetting violation of the law;

that complainant will suffer great hardship if deprived of said telephone facilities; that the telephone is essential to the operation of complainant's business; that complainant seeks to enjoin defendant from discontinuing said telephone service to complainant; 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 complainant 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 complainant.
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 6<sup>th</sup> day of FEBRUARY, 1968.

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 President  
*William W. Beard*  
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*Augusta*  
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*William Seymour*  
*Fred P. Monahan*  
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 Commissioners

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