

Decision No. 74088**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MOBILE U.H.F., INC., a
California corporation,

Complainant,

vs.

THE PACIFIC TELEPHONE AND TELEGRAPH
COMPANY, a corporation,

Defendant.

Case No. 8798

ORDER GRANTING INTERIM RELIEF

Mobile U.H.F., Inc., a corporation, of 8959 Chapman Avenue, Garden Grove, California, having filed a verified complaint alleging in substance that it provides and maintains mobile radio communications systems; that as an integral part of this service complainant requires the use of defendant's lines and wires between the complainant's customers' premises and complainant's transmitters; that complainant is willing to pay for the use of these lines; that defendant has threatened and is threatening, both verbally and in writing, to disconnect one or more of the lines in the immediate future unless interim relief was obtained by complainant from the Commission; that defendant contends it is obligated to render service to complainant's customers, rather than to complainant; that the bases of defendant's threatened discontinuance are unfounded in law and not authorized by the tariffs; that defendant's present course of conduct toward complainant is discriminatory because defendant provides like service to many other enterprises whose customers are the ultimate or indirect users or benefactors of the service provided by defendant; that complainant prays that defendant be enjoined during the pendency of this proceeding from disrupting or disconnecting any service now furnished complainant, either directly or indirectly or from interfering with

any transmissions on the lines afforded complainant; and good cause appearing,

IT IS ORDERED that The Pacific Telephone and Telegraph Company, a corporation, is hereby directed, pending further Commission order herein, to refrain from disrupting or disconnecting any service now provided complainant, either directly or indirectly, or from interfering with any transmissions on the lines afforded complainant; and to maintain such service pending further Commission order herein, said service to be furnished pursuant to defendant's filed tariff rates and rules applicable thereto,

IT IS FURTHER ORDERED that The Pacific Telephone and Telegraph Company is hereby ordered to reconnect and restore any service provided complainant that may have been disconnected subsequent to the filing of this complaint; and to maintain such 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 7th day of MAY, 1968.

John E. Mitchell
President

Stella Underwood

Arvidson

William Lyons

Jack P. Munsie
Commissioners