

Decision No. 76724

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COUNCIL ON RELIGION AND THE
HOMOSEXUAL, INC., a California
nonprofit corporation, SOCIETY
FOR INDIVIDUAL RIGHTS, INC., a
California nonprofit corporation,
TAVERN GUILD OF SAN FRANCISCO,
INC., a California nonprofit
corporation, DAUGHTERS OF BILITIS,
INC., a California nonprofit
corporation,

Complainants,

v.

THE PACIFIC TELEPHONE AND
TELEGRAPH COMPANY, a corporation,

Defendant.

Case No. 8788
(Filed April 25, 1969)

ORDER DENYING REHEARING

Petition for rehearing of Decision No. 76512 having been filed by complainants herein, the Commission having considered each and every allegation thereof, and being of the opinion that no good cause for rehearing has been made to appear,

IT IS ORDERED that rehearing of Decision No. 76512 is hereby denied.

Dated at San Francisco, California, this 27th day of JANUARY, 1970.

William Lyons, Jr.
President

J. H. ...

...

Thomas L. Steger
Commissioners

*I would grant
rehearing.
August*

*I will file
a concurring opinion.
Thomas Mason*

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THOMAS MORAN, COMMISSIONER, Concurring:

I concur because the facts are crystal clear as inspection of the record shows. A rehearing would amount to nothing more than a rehash of the evidence and a consequent waste of taxpayers' money. The sole question at issue in this case is a question of constitutional law -- to wit, may a public utility which enjoys a monopoly in respect to telephone service, arbitrarily discriminate between subscribers in respect to listings in the classified sections of telephone directories.


THOMAS MORAN
Commissioner

Dated: San Francisco, California
January 27, 1970