kj

Decision No. 82589

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

101 PLATING CORPORATION, a California corporation, Complainant, v. THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, a corporation Defendant,	Case No. 9313 (Filed January 5, 1972)

ORDER GRANTING INTERIM RELIEF

On March 1, 1974 Complainant filed a pleading entitled APPLICATION FOR EXTENSION OF TEMPORARY CEASE AND DESIST ORDER AND AFFIDAVIT OF ANTHONY CASTANARES. Complainant's application is filed in response to Decision No. 82341, issued January 15, 1974 in which we denied Complainant's requested relief in this complaint proceeding and dissolved an order requiring Defendant to cease and desist from disconnecting Complainant's telephone service pending the outcome of this case. On February 6, 1974, Complainant filed a petition for rehearing of Decision No. 82341. The March 1, 1974 filing is directed solely to the immediate and aforementioned cease and desist order and seeks an extension of that order to avoid what Complainant alleges would be irreparable harm. Complainant has concurrently filed an affidavit of its counsel which states that the counsel for Complainant has contacted counsel for Defendant and is authorized to state that Defendant has no objection to the extension of the cease and desist order.

Complainant's petition for rehearing was not filed in time to stay the effectiveness of Decision No. 82341 and therefore the original cease and desist order dissolved as of the effective date of that order, February 14, 1974. Therefore, it is more appropriate to consider Complainant's application as an application for a new cease and desist order.

In order to mitigate any injury to Complainant pending our ruling on its petition for rehearing, we find that good cause exists to grant said application. Our granting of this application is made in reliance on Complainant's statement that Defendant has been notified and has no objection to the issuance of said order. Finally, our granting of this application is without prejudice to any action we might take on Complainant's petition for rehearing.

IT IS ORDERED that Defendant shall cease and desist from disconnecting Complainant's telephone service until further order of this Commission removing this restriction; provided that Complainant continues to pay all current charges incurred for telephone service rendered by Defendant.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 12th day of MARCH, 1974.

President

Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.