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Decision No. 83576

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

AUTOMATION POOLS, INC.,  
a California Corporation,  
Complainant

vs

PACIFIC TELEPHONE COMPANY,  
a California Public Utilities  
Corporation,  
Defendant.

Case No. 9801

ORDER DENYING INTERIM RELIEF

Complainant alleges a dispute over the quality of a yellow page advertisement published by defendant and the inability of the parties to resolve the charges therefor. Complainant asks for a hearing to determine the validity of defendant's charge for his advertisement. Complainant also asks that this Commission enjoin and restrain publication and distribution of defendant's Yellow Page Directory for Orange County, Central and North, unless this directory includes the advertising of complainant previously tendered to defendant.

The complaint indicates that the telephone book in question is to be published in November, 1974. From the complaint we assume that this means that printing will start as of this time. Complainant does not allege the final date by which all changes can be made in this directory in order to begin the November printing. Complainant alleges payment for the disputed advertisement, but does not state when this payment was made. It may well be that the time for changes has already passed, so that to afford complainant interim relief would require a drastic change in the telephone directory at great cost to defendant. It could also cause a time delay in printing and distributing the new directory, which could be inconvenient and costly to subscribers in the area and to advertisers.

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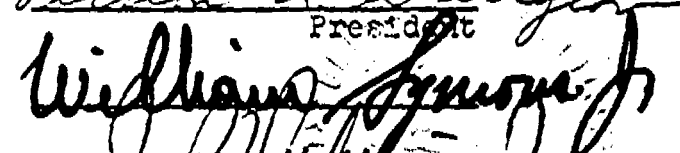


Based upon the allegations in this complaint we cannot find that there is sufficient cause shown to grant interim relief to complainant at the risk of seriously inconveniencing or harming defendant's other subscribers and advertisers.

The Commission concludes that the request for interim relief must be denied. This ruling on interim relief is in no way to be considered a prejudgment of the substantive issues in the complaint.

IT IS ORDERED that complainant's request for interim relief is denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California this 2<sup>th</sup> day of OCTOBER, 1974.

  
President  
  
  
  
Commissioners