

ORIGINAL

Decision No. 86717

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

DAVID C. THEWLIS,

Complainant,

v.

THE PACIFIC TELEPHONE & TELEGRAPH
COMPANY AND MS. DOE MARKISON,

Defendants.

Case No. 10118
(Filed June 10, 1976)

Ardis Waters (Mrs. David C. Thewlis), for
David C. Thewlis, complainant.
Duane G. Henry, Attorney at Law, for
The Pacific Telephone and Telegraph
Company, defendant.

O P I N I O N

This action was instituted after complainant's phone service was disconnected on June 8, 1976. The service was restored on June 11, 1976 after the \$314.92 balance in dispute was deposited with the Commission's Customer Service Unit.

The issues were resolved at a prehearing conference on September 27, 1976. Mrs. Thewlis advised that her husband thought that some of the calls listed on his May 1976 telephone bill were erroneously listed, he failed to contact the defendant due to his frequent business trips, and subsequent bills mailed by defendant were not received by complainant. He has since determined that the calls charged were made and that the bill presented is correct.

Defendant's counsel stated that complainant's telephone was not answered when calls were made and a bill requesting payment of \$314.92 (covering toll calls from April 13 to May 13 and exchange service from May to June 13, 1976) was mailed on May 20, 1976. A notice was mailed on June 1, which advised service was subject to being disconnected if he did not pay his bill within five days. Counsel affirmed that complainant was paid up through September 1976.

We find and conclude that the prayer to reinstitute service has been satisfied and that the deposit held by the Commission should be forwarded to defendant. We will make this order effective on the date issued, since there is no reason to delay granting the relief requested.

O R D E R

IT IS ORDERED that within ten days of the date of this order, the Executive Director will mail or deliver to defendant, The Pacific Telephone and Telegraph Company, the \$314.92 check held for complainant.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 7th day of DECEMBER, 1976.

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 _____ resident
 William J. Quinn

 Robert Bateman

 _____ Commissioners