

Decision No. 51454**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's )  
 own motion into the operations, )  
 rates and practices of )  
 HARRY SARKISIAN. )

Case No. 6183

Elmer J. Sjoström, for the Commission staff.O P I N I O N

On May 31, 1960, this Commission issued its order reopening the proceeding herein. In this order the Commission stated that by Decision No. 58185 herein which became effective April 19, 1959, the respondent Harry Sarkisian was ordered to audit his records and submit a report of all undercharges found as a result of such audit by July 18, 1959, and to submit monthly reports commencing September 7, 1959, if any undercharges remained uncollected, and that it appeared respondent may have failed to submit a report of all undercharges found as a result of such audit and may have failed to submit timely monthly reports as directed by said order. The Commission ordered that Case No. 6183 be reopened for the purpose of determining:

1. Whether respondent has failed to comply with the Commission's decision in Case No. 6183;
2. Whether respondent's operating authority should be canceled, revoked or suspended.

A copy of Decision No. 58185 and a copy of the order reopening the proceeding were personally served upon Harry Sarkisian.

Public hearings in this matter were held before Examiner Wilson E. Cline at Eureka on October 6, 1960, and at San Francisco on November 21, 1960. Neither the respondent nor anyone on his behalf

appeared at the hearings. The matter was taken under submission at the close of the hearing on November 21, 1960.

Findings and Conclusions

The Commission having considered the evidence herein hereby finds and concludes as follows:

1. The effective date of Decision No. 58185 herein is April 19, 1959.
2. Pursuant to paragraphs 2 and 3 of said Decision No. 58185, respondent Harry Sarkisian should have examined his records for the period from January 1, 1958 to the present time for the purpose of ascertaining if any additional undercharges have occurred other than those mentioned in said decision, and on or before July 18, 1959, he should have filed with this Commission a report setting forth all undercharges found pursuant to such examination. No such report has been filed with this Commission.
3. Commencing September 7, 1959, respondent was required by paragraph 5 of said Decision No. 58185 to submit monthly reports of the undercharges remaining to be collected and specifying the action taken to collect such charges and the result of such. On December 28, 1959, respondent filed a report dated December 23, 1959, listing 13 paid freight bills and two unpaid freight bills. No other such reports have been filed with this Commission.
4. The last of three letters from the Secretary of the Commission to respondent requesting compliance with paragraphs 3 and 5 of the order in said Decision No. 58185 is dated February 23, 1960.
5. On October 20, 1959, this Commission notified respondent Harry Sarkisian that his Radial Highway Common Carrier Permit No. 10-7136 had been revoked effective October 20, 1959, for failure to maintain on deposit adequate liability insurance protection.

6. After respondent redeposited with the Commission evidence of adequate liability insurance protection, this Commission, on December 2, 1959, issued respondent Harry Sarkisian Permit No. 12-3012 to operate as a Radial Highway Common Carrier.

7. On June 28, 1960, this Commission notified respondent Harry Sarkisian that his Radial Highway Common Carrier Permit No. 12-3012 had been suspended as of June 28, 1960, for failure to pay the quarterly fees for the period January 1, 1960 to March 31, 1960.

8. By reason of respondent Harry Sarkisian's failure to pay his quarterly fees and failure to comply with the Commission's order in Decision No. 58185, Radial Highway Common Carrier Permit No. 12-3012 issued to Harry Sarkisian should be revoked.

ORDER

A public hearing having been held in the above-entitled matter and the Commission being fully informed therein, now therefore,

IT IS ORDERED that Radial Highway Common Carrier Permit No. 12-3012 issued to the respondent Harry Sarkisian is hereby revoked at 12:01 a.m. on the effective date of this order.

The Secretary of the Commission is directed to cause personal service of this order to be made upon Harry Sarkisian and this order shall be effective twenty days after the completion of such service upon the respondent.

Dated at San Francisco California, this 9<sup>th</sup> day of FEBRUARY, 1961.

[Signature]  
President  
[Signature]  
[Signature]  
George T. Driver  
[Signature]  
Commissioners