

ORIGINALDecision No. 71901

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
 own motion into the operations,)
 rates and practices of JAMES T.)
 MARTIN.)

Case No. 7460

SUPPLEMENTAL ORDER REVOKING PERMITS

Decision No. 70358, dated February 15, 1966, in this and another case consolidated with it, imposed certain requirements on James T. Martin. Paragraph 3 of said order required Martin to examine his records from December, 1960, to February 15, 1966, to ascertain all undercharges. Paragraph 4 required Martin to report such undercharges to the Commission within 90 days. Paragraph 5 required collection. Paragraph 6 required legal proceedings for items uncollected after 120 days and regular monthly reports of progress thereafter.

Decision No. 70358 became effective on May 17, 1966, when Martin's petition for rehearing was denied. The paragraph 4 report was due on August 15. It was not filed. The same is true of the 120 day report, due September 14, and the first two monthly reports, due October 3 and November 7, 1966.

In view of these facts and the further fact that Decision No. 70358 was itself in a proceeding inspired by Martin's non-compliance with a previous disciplinary order it appears that his permits should be revoked.

The Commission finds that:

1. The public interest requires that the operating authority of James T. Martin should be revoked.
2. James T. Martin is in a position of non-compliance with disciplinary orders of this Commission.

The Commission concludes that Martin's permits should be revoked as provided by the following order.

IT IS ORDERED that:

1. Radial Highway Common Carrier Permit No. 19-45301 and City Carrier Permit No. 19-45302 issued to James T. Martin are revoked and cancelled.

2. No new permit shall be issued to James T. Martin as an individual, nor to any partnership or company in which said Martin is financially interested nor to any corporation in which said Martin is interested to the extent of five percent or more of the total value of the outstanding stock therein, unless and until said Martin shall have complied with the requirements of Decision No. 70358 in this proceeding.

3. The Secretary of the Commission shall cause a copy of this order to be personally served on James T. Martin.

4. The effective date of this order shall be thirty days after such personal service unless, before such effective date, James T. Martin shall have filed a written request for a public hearing of this matter, in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 24th day of JANUARY, 1967.

[Handwritten signature]

President
[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

Commissioners

-2- Commissioner WILLIAM SYMONS, JR. did not participate in the disposition of this proceeding.