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ORIGINAL

Decision No. 74398

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into the rates,
operations and practices of
VERNON L. SMITH, an individual.

Case No. 8615
(Filed March 28, 1967)

SUPPLEMENTAL ORDER REVOKING PERMIT

Decision No. 73092, dated September 19, 1967, imposed certain penalties and requirements on Vernon L. Smith. Paragraph 1 of said order required Vernon L. Smith to pay a fine of \$3,870.95. Paragraphs 2 and 3 required Vernon L. Smith to collect and recover undercharges and overpayments and to make reports thereof to the Commission.

Decision No. 73353 denied Smith's petition for re-hearing and required payment of the fine of \$3,870.95 to be made on or before May 20, 1968. The fine has not been paid and the reports have not been filed and no reply has been received to warning letters sent January 23 and February 20, 1968, concerning his failure to comply with that decision. Information has been received that Vernon L. Smith has moved from California and is now living in Nevada.

In view of the foregoing facts and the further fact that respondent's Highway Contract Carrier Permit No. 19-53949

is under suspension as of April 9, 1968, for failure to pay fees for the third and fourth quarters of 1967, it appears that his permit should be revoked.

The Commission finds that Vernon L. Smith has not complied with disciplinary orders of this Commission and therefore concludes that his permit should be revoked as provided by the following order.

O R D E R

IT IS ORDERED that:

1. Highway Contract Carrier Permit No. 19-53949 issued to Vernon L. Smith is hereby revoked and cancelled.
2. No new permit shall be issued to Vernon L. Smith as an individual, nor to any partnership or company in which said Smith is financially interested nor to any corporation in which said Smith is interested to the extent of five percent or more of the total value of the outstanding stock therein, unless and until said Smith shall have complied with the requirements of Decision No. 73092 in this proceeding.
3. The Secretary of the Commission shall cause a copy of this order to be served on Vernon L. Smith by registered mail directed to his last known address.

4. The effective date of this order shall be sixty days after date of mailing said copy to Vernon L. Smith, unless, before such effective date, Vernon L. Smith 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 16th day of JULY, 1968.

William Sproule
President
William W. Bennett
Augusta
Richard P. Monasse
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.