

ORIGINAL

Decision No. 79863

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

KENNETH HENRICKSEN,

Complainant,

vs.

SANTA ROSA Y. M. C. A.,

Defendant.

Case No. 9332
(Filed February 16, 1972)

Gladstone A. Gillette, Attorney at Law,
for complainant.

Dwight S. Allen, Attorney at Law, for
defendant.

O P I N I O N

Complainant filed a verified complaint on February 16, 1972, which alleged that defendant was advertising and providing a charter-party service to the general public without the proper certification from the Public Utilities Commission and without the vehicle registration required by the Board of Equalization. It was further alleged that defendant's unlawful operation was violating complainant's rights as a certified charter-party carrier in the area served by defendant.

Commission Decision No. 79752, dated February 23, 1972, in this proceeding, ordered the defendant to cease and desist from providing unauthorized charter-party passenger operations to the public and further ordered defendant to appear at 10:00 a.m. on Monday, the 28th of February, 1972, to show cause why the Cease and Desist Order should not be extended until a decision is issued on the merits.

The parties stipulated as follows on February 25, 1972: Complainant dismissed the complaint and defendant agreed to cease advertising and transporting non-members on its charters. The parties

agreed that the Cease and Desist Order issued on February 23, 1972 should remain in full force and effect until further order of the Commission and that a public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. The complaint in Case No. 9332 is hereby dismissed.
2. The Cease and Desist Order heretofore entered in Case No. 9332 is dissolved.
3. The Order to Show Cause in Case No. 9332 is set aside and vacated.

The Secretary is directed to cause a certified copy of this order to be personally served on defendant.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 28th
day of MARCH, 1972.

William J. Vukasin, Jr. Chairman
Thomas J. Vukasin, Jr.
Vernon L. Stanger
Edward J. Vukasin, Jr. Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.