

Decision No. 80645

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own
motion into the operations, rates,
charges, and practices of ADAMS CHARTER
COACHES; MRS. AGNES G. ADAMS, Executrix
of the Estate of Russell Adams; and
RICHARD TWINING, an individual, respect-
ively, dba as Adams Charter Coaches.

Case No. 9174
(Filed January 13, 1971)

Albert M. Lavezzo, Attorney at Law, for Adams
Charter Coaches, respondent.
Michael J. Stecher, Attorney at Law, for
Commission staff.

O P I N I O N

By its order dated January 13, 1971, the Commission instituted an investigation into the operations, rates, charges, and practices of Adams Charter Coaches, Mrs. Agnes G. Adams, executrix of the estate of Russell Adams, and Richard Twining, an individual, respectively, doing business as Adams Charter Coaches. Public hearing was held May 24, 1971 at San Francisco and the matter submitted.

Evidence was produced that showed that Adams Charter Coaches had been operated for several years by Russell Adams, Sr.; he died in 1967. His widow attempted to run the business for a period of a few months with her son, Adams, Jr. This was not successful. Mrs. Adams brought in Mr. Twining to aid in running the business.

Subsequent thereto, a partnership was formed between the Adams and Twining which was later dissolved. Mrs. Adams then sold the business to Twining. The parties failed to seek Commission approval of the sale.

By Application No. 52628, filed May 20, 1971, Commission approval of the sale was sought and by Decision No. 78899 approved by the Commission.

Respondent Twining stipulated that he had been charging, demanding, collecting or receiving fares or rates as compensation for the transportation of persons different than the applicable rates and charges as specified in Adams Charter Coaches' tariff schedules filed and in effect at the time of said service, in violation of Section 494 of the Public Utilities Code.

Based on these facts, the Commission finds that there has been a violation of Sections 851 and 494 of the Public Utilities Code by Richard Twining.

O R D E R

IT IS ORDERED that Richard Twining shall:

1. Give public notice for a period of 60 days of the availability of refunds to overcharged patrons and the procedures to obtain same. Said public notice shall include advertisements in local newspapers and prominent posting on all buses and the terminal.
2. Refund overcharges promptly upon presentation of reasonable evidence of said overcharges.
3. Keep records of all claims showing:
 - a. Claimant's name and address.
 - b. Claim amount.
 - c. Settlement made.
4. Make said records available for Commission inspection.

The effective date of this order shall be twenty days after service of this order upon the respondents herein.

Dated at San Francisco, California, this 25th day of OCTOBER, 1972.

Vernon L. Stevenson
President

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Commissioners