

Decision No. 84176

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ALFRED ACKROYD dba
N.A.T.C.O. TRUCKING of Berkeley,
California, for reinstatement
of dump truck carrier permit
No. T-96, 147.

Application No. 55171
(Filed September 16, 1974)

Alfred Ackroyd, for himself, applicant.
Frank A. Marx, for the Commission staff.

O P I N I O N

Applicant's highway contract carrier and dump truck carrier permits were revoked on June 25, 1973 for failure to pay a \$25 fine previously imposed for failure to file timely evidence of insurance coverage. He has applied herein to have the permits reinstated.

Public hearing was held before Examiner Porter at San Francisco on January 13, 1975.

The evidence produced showed that applicant had sufficient notice of the fine. The insurance has been reinstated, and the fine was paid at a later date. Applicant testified that he was confused in regard to payment of the fine by the concurrent payment of a tariff violation fine in the same amount as the insurance fine.

Based upon the evidence, the Commission finds that:

1. Applicant's highway contract carrier and dump truck carrier permits were revoked on June 25, 1973.

2. Applicant did not make timely payment of the fine for failure to file timely evidence of insurance coverage because he thought a fine in a similar amount for a tariff violation also covered the insurance violation.

Based on the findings the Commission concludes that the application should be granted.

On September 13, 1974 applicant was issued a dump truck carrier permit. To avoid duplicate authority that permit will be revoked concurrently with the effective date of this decision.

O R D E R

IT IS ORDERED that:

1. The Secretary of the Commission shall reinstate the dump truck carrier and contract carrier permits heretofore issued to Alfred Ackroyd, doing business as N.A.T.C.O. Trucking, and since revoked.

2. The dump truck carrier permit issued September 13, 1974 is revoked.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 11th
day of MARCH, 1975.

Vernon L. Sturgeon
President
William Synson Jr.
St. John
Leonard Ross
Commissioners