

ALJ/rr

Decision 84 05 040

MAY 2 1984

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

AIRPORT SERVICE, INCORPORATED, )  
a corporation, )

Complainant, )

vs. )

FUNBUS SYSTEMS, INC., a )  
corporation and doing business as )  
AIR LINK, )

Defendants. )

Case: 84-04-068  
(Filed April 17, 1984)

ORDER SUSPENDING ACTION

On April 18, 1984 we issued Decision (D.) 84-04-101 wherein we entered the following order:

"IT IS ORDERED that FunBus Systems, Inc., doing business as Air Link and its agents, servants, employees, attorneys, and all persons acting in concert with it and them are ordered to cease and desist from all transportation of passengers and/or their baggage by stage, auto stage or other motor vehicles between Los Angeles International Airport and Anaheim or Buena Park until further order of the Commission.

"IT IS FURTHER ORDERED that this matter will be heard before Administrative Law Judge Frank O'Leary in the Commission Courtroom, 107 South Broadway, Los Angeles, California on Monday, April 30, 1984 at 11 a.m.

"IT IS FURTHER ORDERED that defendant FunBus shall file its answer on or before April 26, 1984 and shall arrange to have copies of its answer in the hands of Administrative Law Judge O'Leary and Airport Service, Inc. on that date."

A request for a temporary restraining order and preliminary injunction against the Commission from enforcing its cease and desist order was filed in United States District Court Central District of California by defendant FunBus. On April 25, 1984 the Federal Court denied FunBus' request for a temporary restraining order. A hearing concerning the preliminary injunction is set in Federal Court for May 21, 1984.

During the course of the public hearing before Administrative Law Judge O'Leary on April 30, 1984, Dennis V. Menke, Counsel for FunBus, presented copies of the following filings in the United States District Court for the Central District of California:

1. PETITION FOR REMOVAL OF CIVIL PROCEEDING TO FEDERAL COURT. (Filed 4-30-84, 10:55 a.m.)
2. NOTICE TO ADVERSE PARTY OF FILING OF PETITION AND BOND FOR REMOVAL. (Filed 4-30-84, 10:59 a.m.)

At our meeting today we intended to carefully review our action in D.84-04-101 and take appropriate action. In view of the filings by FunBus on April 30, 1984 in Federal Court, we are precluded from so acting or from taking any other action in this proceeding.

Under the circumstances,

IT IS ORDERED that no further action, in this proceeding, is to be taken until further order of the Commission.

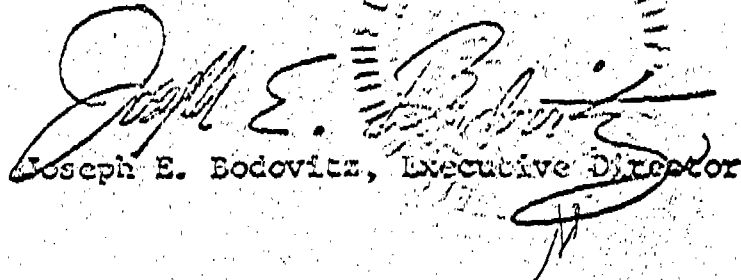
This order is effective today.

Dated May 2, 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS.

  
Joseph E. Bodovitz, Executive Director

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Under the circumstances;

IT IS ORDERED that no further action, in this proceeding, is to be taken until further order of the Commission.

This order is effective today.

Dated May 2, 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

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Commissioners