

Decision 89 10 018

OCT 12 1989

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Downtown Airporter, PSC 1412, )

Complainant, )

vs. )

Bayporter Airport Shuttle  
Service, PSC 1442, )

Defendant. )

Case 87-12-013  
(Filed December 7, 1987)

ORDER OF DISMISSAL

Complainant Ronald Jay Mayeri, doing business as Downtown Airporter, seeks an order of the Commission amending the passenger stage corporation certificate of public convenience and necessity issued to defendant BayPorter Express. Complainant requests that certain other relief also be granted, including a determination of whether actions of the defendant related to the filing of timetables warrant punitive action.

On July 21, 1989 the assigned Administrative Law Judge (ALJ) sent a letter to the complainant asking whether he was ready to proceed with this matter. The letter, which was sent to the address shown in the complaint for notices, correspondence, and communications, was returned undelivered. The envelope was postmarked July 21, 1989 and bore the stamped notation "Returned to Sender." On or about August 17, 1989 the ALJ attempted to contact complainant at the telephone number shown in the complaint, but received the message that the number is disconnected or no longer in service. On August 24, 1989 the Transportation Division's Tariff and License Branch advised the ALJ that the operating

authority issued to Ronald J. Mayeri, doing business as Downtown Airporter, was revoked on October 4, 1988 due to lack of insurance.

Since complainant cannot be contacted at the mailing address or at the telephone number shown in the complaint, and since his operating authority has been revoked, we conclude that he is no longer in business as Downtown Airporter, and that the complaint should be dismissed for lack of prosecution.

Findings of Fact

1. A letter dated July 21, 1989, which was sent to complainant at the address shown in the complaint for notices, correspondence, and communications, was returned undelivered.
2. On or about August 17, 1989 the telephone number shown in the complaint was disconnected or out of service.
3. Commission records show that the operating authority issued to Ronald Jay Mayeri, doing business as Downtown Airporter, was revoked on October 4, 1988.
4. There is no indication that complainant wishes to proceed with this complaint.

Conclusion of Law

The complaint should be dismissed for lack of prosecution.

IT IS ORDERED that Case 87-12-013 is dismissed without prejudice.

This order becomes effective 30 days from today.

Dated OCT 12 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

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

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*Wesley Franklin*  
WESLEY FRANKLIN, Acting Executive Director  
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