

Decision 90 12 112 DEC 27 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Phoenix Wholesale Inc., dba Alexis )  
Shuttle, for authority to operate as )  
a passenger stage between certain )  
portions of Los Angeles, Orange, )  
Riverside, San Bernardino, and )  
Ventura Counties on one hand and )  
Los Angeles International (LAX) )  
Airport, Long Beach Airport, Burbank )  
Airport, John Wayne Airport, Ontario )  
Airport, Amtrak Station and Los )  
Angeles and Long Beach Harbors on )  
the other hand. )

**ORIGINAL**

Application 90-01-051  
(Filed January 29, 1990)

Harish Bhatia, for applicant.  
Sheryl L. Meshack, Attorney at Law, for City  
of Los Angeles, Department of Airports,  
protestant.  
MacDonald Ebi Esule, for the Transportation  
Division.

ORDER OF DISMISSAL

Public hearing on this application was held at Los Angeles on August 15, 1990 before Administrative Law Judge (ALJ) O'Leary. The matter was submitted subject to the filing of the following late-filed exhibits to be filed by applicant:

- Exhibit 2      Projected Annual Income and  
Expense Statement;
- Exhibit 3      A revised balance sheet; and
- Exhibit 4      A revision to the proposed rules  
and regulations

on or before August 27, 1990.

The exhibits were not filed by August 27, 1990. By letter dated October 31, 1990, ALJ O'Leary advised the applicant the following:

"Exhibits 2, 3, and 4 were to be submitted on or before August 27, 1990. In late August you advised me by telephone that the exhibits would be submitted in September. On September 1, 1990, I left for an extended vacation. To date the exhibits have not been submitted.

"I intend to recommend to the Commission that Application 90-01-051 be dismissed for lack of prosecution if the exhibits are not submitted on or before November 9, 1990."

No response to ALJ O'Leary's letter has been received nor have the exhibits been submitted.

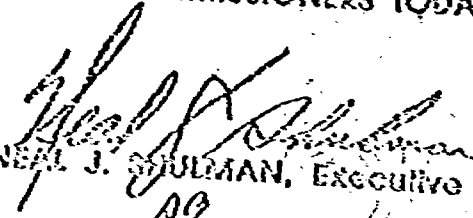
Applicant having failed to submit late-filed Exhibits 2, 3, and 4 and applicant having failed to respond to ALJ O'Leary's letter dated October 31, 1990,

IT IS ORDERED that Application 90-01-051 is dismissed.  
This order becomes effective 30 days from today.

Dated DEC 27 1990, 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

  
NEAL J. SULLIVAN, Executive Director  
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