

ALJ/WRI/tcg

Mailed

MAY 8 1991

Decision 91-05-014 May 8, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application for Hearing of Corporate)
 Coach Charter)
 Re: suspension, revocation, or)
 denial of renewal authority of)
 property or passenger carrier at)
 request of California Highway)
 Patrol))

ORIGINAL

Application 91-05-002
(Filed March 1, 1991)

Hadi Eshaghi, for himself, applicant.
Paul Wuerstle, for the Commission's
 Transportation Division.

OPINION

Hadi Eshaghi (Eshaghi), doing business as Corporate Coach Charter, filed application for a new Class "B" charter-party certificate. The application was denied upon recommendation of the California Highway Patrol pursuant to Public Utilities (PU) Code Section 5378.6.

Application for hearing of the denial was filed on March 1, 1991, and a duly noticed public hearing was held before ALJ Orville I. Wright in Los Angeles on March 20, 1991.

At hearing, Eshaghi stipulated that the denial of his application for a charter-party permit was not improper or unwarranted, but requested a reinspection of his vehicles as he had repaired them to meet California Highway Patrol objections.

PU Code Section 5378.6(d) provides that a charter-party applicant must reapply for the permit if the hearing on his denial does not result in reversal.

Transportation Division staff and California Highway Patrol staff present at the hearing offered to cooperate with applicant to assist him in filing a new charter-party application and obtaining an early reinspection of his vehicles. Eshaghi thereupon requested that the present application be dismissed.

Findings of Fact

1. Hadi Eshaghi's application for a charter-party permit was denied upon recommendation of the California Highway Patrol pursuant to PU Code Section 5378.6.
2. The denial was not unwarranted or improper.
3. Applicant requests that this application be dismissed.

Conclusion of Law

The application should be dismissed.

ORDER


IT IS ORDERED that Application 91-03-002 is dismissed and this proceeding is closed.

This order becomes effective 30 days from today.

Dated May 8, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SHULMAN, Executive Director