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JUN 20 1991

Decision 91-06-039 June 19, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own )  
motion into the operations and )  
practices of Ronald Lee Koenig, doing )  
business as San Francisco Charterhouse, )  
and San Francisco Charterhouse, a )  
California corporation, doing business )  
as Charterhouse. )

**ORIGINAL**

I.90-01-014  
(Filed January 9, 1990)

(Appearances are from prehearing conferences  
held April 20 and June 12, 1990)

Law Offices of Alexander Anolik, by  
Kenneth A. Lipson, Attorney at Law,  
for Ronald Lee Koenig, and Maxwell &  
Wes, by Steven B. Sacks, Attorney at  
Law, for San Francisco Charterhouse,  
respondents.

Ira Kalinsky, Attorney at Law, and Jim  
Westfall, for the Transportation Division.

O P I N I O N

Charter Party Permit TCP005622B-001 issued to Ronald Lee Koenig, doing business as San Francisco Charterhouse, has been revoked for failure to pay quarterly fees. An informal application had been filed to transfer the now revoked operating authority to San Francisco Charterhouse, a California corporation. At the request of the California Highway Patrol (CHP), this Order Instituting Investigation (OII or I.) was issued to inquire into alleged violations of the Vehicle Code. The CHP alleged that respondent Koenig had caused vehicles to be operated to the left of double yellow lines on Route 1 in Marin County. The CHP also was concerned that respondent Koenig was proposing to transfer the operating authority to a corporation.

On May 10, 1990, San Francisco Charterhouse filed a petition in bankruptcy pursuant to Chapter 11 of Title 11, United States Code.

In recently issued Leopard Trading Co. (Leopard), Decision 91-03-038, in I.89-05-015, Leopard had been the subject of an OII and had become insolvent and ceased to do business. The operating authority was revoked for failure to pay fees. The Commission dismissed the OII on condition that should Leopard seek to be reinstated or seek operating authority, the issues set forth in the OII must first be resolved.

We have decided that the Leopard solution should be applied here.

Findings of Fact

1. The public interest will not be adversely affected if this matter is dismissed subject to the condition discussed above.
2. The operating authority referred to above has been revoked. Respondents are no longer engaged in the transportation of passengers.

Conclusion of Law

I.90-01-014 should be dismissed on the condition that should either respondent seek to be reinstated or seek operating authority from this Commission, the issues surrounding the undercharges and potential fines, as set forth in the OII, must first be resolved.

ORDER

IT IS ORDERED that Order Instituting Investigation (I. or OII) 90-01-014 is dismissed on the condition that should respondents Ronald Lee Koenig or San Francisco Charterhouse seek to be reinstated or seek operating authority from this Commission, the

I.90-01-014 ALJ/JCG/vdl

issues set forth in the OII filed January 9, 1990, must first be resolved.

This order becomes effective 30 days from today.

Dated June 19, 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**

*[Handwritten Signature]*  
NEAL J. SHULMAN, Executive Director

*ps*