

Mailed

Decision 91-07-035 July 24, 1991

JUL 24 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's )  
 own motion into the operations, )  
 rates, and practices of NATIONWIDE )  
 CONSOLIDATORS, INC., a California )  
 corporation, )  
 Respondent. )

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**ORIGINAL**

I.90-06-036  
(Filed June 20, 1990)

William James Scott, Jr., for National  
 Consolidators, Inc., respondent.  
Lawrence O. Garcia, Attorney at Law, and  
William G. Waldorf, for the Division  
 of Ratepayer Advocates.

OPINION

Nationwide Consolidators, Inc. (Nationwide) is engaged in the business of transporting property over the public highways of this state for compensation. It operates pursuant to a highway contract carrier permit issued June 29, 1988. Its sole owner and officer is William James Scott, Jr. On June 20, 1990, the Commission opened an investigation to determine whether Nationwide violated various sections of the Public Utilities Code by, among other things, failing to pay subhaulers. On May 31, 1991, Nationwide's operating authority was revoked by the Commission for failure to pay fees.

The Commission has been informed that Nationwide is no longer in business and that Scott has filed for personal bankruptcy (Case No. 290-05082-C-7). All subhaulers have been given notice of the bankruptcy and the opportunity to file their claims. Under the circumstances, it would serve no purpose to continue this investigation.

In recently issued Leopard Trading Co. (Leopard), Decision 91-03-038, in Order Instituting Investigation (I. or OII) 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 The operating authority was revoked for failure to pay fees.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.

In our opinion, the resolution in Leopard 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 The operating authority referred to above has been revoked. Respondent is no longer engaged in the transportation of property.

Conclusion of Law

I.90-06-036 should be dismissed on the condition that should either respondent or Scott seek to be reinstated or seek operating authority from this Commission, the issues and potential fines, as set forth in the OII, must first be resolved.

ORDER

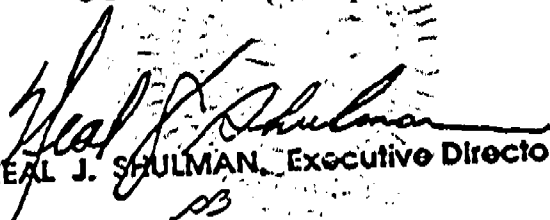
IT IS ORDERED that Order Instituting Investigation (I. or OII) 90-06-036 is dismissed on the condition that should respondent Nationwide Consolidators, Inc. or William James Scott, Jr. seek to be reinstated or seek operating authority from this Commission, the issues set forth in I.90-06-036 must first be resolved.

This order becomes effective 30 days from today.

Dated July 24, 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