

ALJ/RTB/gab

Decision 92-01-048

JAN 21 1992

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JAN 22 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's  
 own motion into the operations and  
 practices of U.C. Moving Services,  
 Inc., a California corporation,  
 Respondent.

**ORIGINAL**

I.91-06-004  
(Filed June 5, 1991)

O P I N I O N

U.C. Moving Services, Inc. (UC) transports property over the highways pursuant to a highway common carrier certificate, a highway contract carrier permit, and a household goods carrier permit issued October 17, 1988, in File T-159,566.

A Transportation Division investigation showed that UC may have conducted operations during the period April 17 through June 20, 1990, while its operating authorities were suspended. UC was duly served with a copy of the Order Instituting Investigation (OII), after which it appeared at a settlement conference on September 13, 1991, where a basis was established in principle for settlement of the case. Further exchanges followed by mail, resulting in the execution of a Stipulation for Settlement on September 23, 1991.

In full settlement of the issues raised by the OII, UC agrees to pay \$1,500 pursuant to Public Utilities Code Sections 3774 and 5285 in three consecutive monthly installments of \$500 each. The first of these installment payments is due 30 days after the issuance of the Commission's final order approving and adopting the Stipulation as a final disposition of the matters subject to this investigation. The Transportation Division recommends that the Stipulation be approved and adopted. A copy of the Stipulation is appended.

Findings of Fact

1. The Stipulation is reasonable, consistent with law, and in the public interest.
2. The Stipulation is recommended by the Transportation Division.
3. The Stipulation is uncontested.

Conclusions of Law

1. The Stipulation should be adopted.
2. Since this matter is resolved by the Stipulation, the following order should be effective immediately.

O R D E R

IT IS ORDERED that:

1. U.C. Moving Services, Inc. (UC) shall pay the sum of \$1,500 to the Commission in three consecutive monthly installments of \$500 each. The first installment is due 30 days after the date of this order.
2. U.C. shall henceforth not be subject to any future sanctions or fines arising out of transportation performed by UC to and including the date of the Stipulation for settlement, and it is relieved of liability for the payment of any amount other than that specifically agreed to be paid in the Stipulation.

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3. This investigation is terminated and the docket is closed.

This order is effective today.

Dated January 21, 1992, at San Francisco, California.

DANIEL Wm. FESSLER  
President

JOHN B. OHANIAN  
PATRICIA M. ECKERT  
NORMAN D. SHUMWAY  
Commissioners

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

  
NEAL J. SHULMAN, Executive Director  
PB 11111

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own  
motion into the operations and  
practices of U.C. Moving Services,  
Inc. a California corporation.

I. 91-06-004

Respondent.

STIPULATION FOR SETTLEMENT

THE PARTIES TO THIS PROCEEDING now pending before the Public Utilities Commission desiring to avoid the expense, inconvenience and uncertainty attendant to litigation of the issues in dispute between them have agreed upon a settlement of the said issues and desire to submit to the Public Utilities Commission this stipulation for approval and adoption as its final disposition of the matters herein.

In addition, since this STIPULATION represents a compromise by the Parties, the Parties have entered into it on the basis that the Commission's adoption of said STIPULATION not be construed as an admission or concession by any party regarding the facts or law in dispute in this proceeding. Furthermore, it is the intent and understanding of the parties that Commission adoption of this STIPULATION will not be construed as a precedent or policy statement of any kind for or against the Parties in any current or future proceeding.

NOW, THEREFORE, THE PARTIES DO STIPULATE AS FOLLOWS:

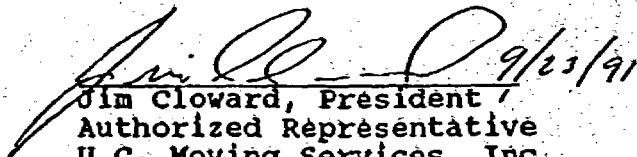
1. Respondent U.C. Moving Services, Inc. (UC) agrees to pay an amount to be deposited with the Public Utilities Commission ("Commission") in the sum of \$ 1,500 pursuant to Sections 3774 and 5285 of the Public Utilities Code. This amount is to be paid in three (3) consecutive monthly installments of \$ 500, the first installment due 30 days after issuance of the Commission's final order approving and adopting the terms of this Stipulation For Settlement as its final disposition of the matters subject to this investigation.

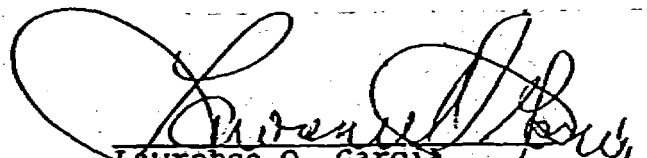
2. The staff of the Public Utilities Commission, specifically the Compliance and Enforcement Branch of the Transportation Division, agrees with the terms of this stipulation and recommends to the Commission that these terms be accepted, that this proceeding known as I.91-06-004 be terminated, that the respondent in I.91-06-004 shall henceforth not be subject to any future sanctions or fines arising from transportation performed by UC to and including the date of this stipulation, and be relieved of liability for the payment of any amount other than that specifically agreed to be paid in this stipulation.

3. The parties enter into this agreement freely and voluntarily.

4. It is understood and agreed that the terms herein are binding when approved by the Commission.

Dated: Sept. 25, 1991.

  
Jim Cloward, President  
Authorized Representative  
U.C. Moving Services, Inc.  
26999 Industrial Blvd.  
Hayward, CA 94545

  
Lawrence Q. Garcia  
Attorney at Law  
Counsel for Compliance  
and Enforcement Branch  
of Transportation Division