

ORIGINAL

Decision 83 07 045 JUL 20 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Francisco, Manuel, and Aurelio Medinilla, a partnership dba Express Transit District, for a route extension authority.

Application 83-02-18
(Filed February 8, 1983)

Investigation on the Commission's own motion into the operations and practices of Francisco, Aurelio, and Manuel Medinilla, a partnership, doing business as Express Transit District.

OII 83-04-01
(Filed April 6, 1983)

Jack E. Kaufmann, Attorney at Law, for Aurelio Medinilla, applicant.
Richard T. Powers, Attorney at Law, for Southern California Rapid Transit District, protestant.

ORDER OF DISMISSAL
IN APPLICATION 83-02-18

In Application (A.) 83-02-18 Francisco, Manuel, and Aurelio Medinilla, a partnership dba Express Transit District, seek authority under Public Utilities Code Section 1031, et seq. for route extensions to their existing certificate of public convenience and necessity (PSC-1200) as a passenger stage corporation.

This matter was consolidated for hearing with Order Instituting Investigation (OII) 83-04-01 which is an investigation on the Commission's own motion into the operations and practices of Francisco, Aurelio, and Manuel Medinilla, a partnership doing

business as Express Transit District. After due notice, public hearing was held in Los Angeles on May 16, 1983 before Administrative Law Judge William A. Turkish. The application was submitted on that date while submission of the OII was stayed pending further proceedings.

Applicant Aurelio Medinilla presented the only testimony in A.83-02-18. He responded primarily to the OII. Medinilla disassociated himself from the activities of the partnership and testified that he had no role in its operations or in this application for route extension. The other two applicants did not appear.

No affirmative showing on the merits of A.83-02-18 was presented.

Findings of Fact

1. No evidence was offered on behalf of A.83-02-18.
2. Aurelio Medinilla, the only member of the partnership present at the hearing, disassociated himself from the partnership and from A.83-02-18.

Conclusions of Law

1. Since there has been no affirmative showing on behalf of A.83-02-18, it should be dismissed. ✓
2. Submission of OII 83-04-01 should be stayed pending further proceedings in that matter. ✓

A.83-02-18, OII 83-04-01 ALJ/vdl/ec

IT IS ORDERED that A.83-02-18 is dismissed, and that
OII 83-04-01 remains open, pending further proceedings.

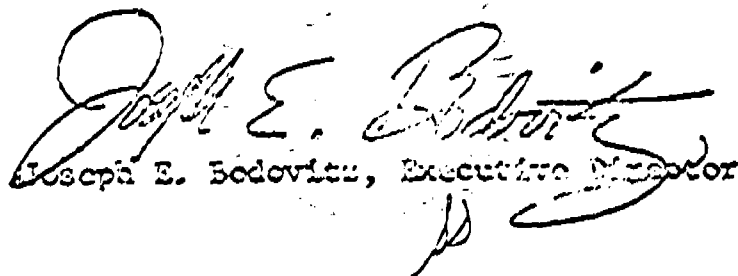
This order becomes effective 30 days from today.

Dated JUL 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director

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