

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
own motion into the operations,)
rates and practices of Mark Gibson)
and Nancy Gibson, his wife, doing)
business as Transport-Sea and Sea)
Enterprises; and General Tire and)
Rubber Co., an Ohio corporation.)

OII No. 51
(Filed May 22, 1979)

ORDER REOPENING PROCEEDING

On November 20, 1979, we issued Decision No. 91041 in this matter ordering respondents Mark and Nancy Gibson, dba Transport-Sea and Sea Enterprises, respectively, to, inter alia, pay a fine for certain undercharges amounting to \$8,163.84 and a punitive fine of \$2,500.00. Payment of these fines was due on or about January 29, 1980. Furthermore, respondents Gibson were ordered ✓
to report to this Commission their actions undertaken to collect the subject undercharges from the shipper respondent in this matter, General Tire and Rubber Co. (General Tire).

According to the records of this Commission, respondents Gibson have submitted neither payments of the fines assessed in ✓
Decision No. 91041 nor reports concerning the pursuit of undercharges from General Tire. Inasmuch as respondents Gibson ✓
have failed to comply with their responsibilities as described in Decision No. 91041, good cause appears to reopen this proceeding; therefore,

IT IS ORDERED that Order Instituting Investigation No. 51 shall be and is hereby reopened for further hearings to take evidence on the following issues:

1. Whether respondents Mark and Nancy Gibson have failed to comply with the provisions of Decision No. 91041 issued November 20, 1979, in this matter; and,

2. Whether further sanctions and penalties should be imposed upon respondents Mark and Nancy Gibson should the Commission find said respondents to be in violation of Decision No. 91041, such sanctions to include, but not be limited to:

a. the commencement of contempt proceedings against said respondents; and/or

b. the permanent revocation of any and all operating authority held either jointly or individually by said respondents; and/or

c. the assessment of further fines; and/or

d. the commencement of possible criminal actions undertaken through the appropriate local law enforcement agencies.

IT IS FURTHER ORDERED that public hearing in this matter shall be held before Administrative Law Judge Pilling in the Commission Courtroom, 350 McAllister Street, San Francisco, California 94102, at 10:00 a.m., on July 30 ~~1980~~, 1980, at which time all interested parties may appear and be heard.

IT IS FURTHER ORDERED that the Executive Director shall cause a certified copy of this order to be served personally upon respondents Mark Gibson and Nancy Gibson and by mail upon all parties of record in the proceeding.

The effective date of this order is the date hereof.

Dated JUL 2 1980 at San Francisco, California.

John E. Byrne
President
Vernon L. Sturgeon
Richard D. Gennelle
Clair J. ...
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Commissioners