

Mailed
SEP 4 1997

Decision 97-09-009 September 3, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Evergreen Concrete,)
Inc., for hearing (Re: suspension,)
revocation, or denial of renewal of)
property or passenger carrier)
authority or registration at the)
request of California Highway)
Patrol).)

ORIGINAL

Application 93-07-026
(Filed July 9, 1993)

O P I N I O N

Applicant Evergreen Concrete Inc. filed this application on July 9, 1993 seeking a hearing regarding the suspension of its operating authority. Applicant's suspension, caused by an unsatisfactory inspection by the California Highway Patrol (CHP), was effective May 12, 1993. No hearing was held.

Applicant's operating authority was cancelled by the Commission effective May 12, 1993 as a result of unsatisfactory reinspection by the CHP. Since cancellation, applicant has not sought reinstatement of operating authority. This application should be dismissed for lack of prosecution and closed.

Findings of Fact

1. Applicant's operating authority was suspended as a result of an unsatisfactory inspection by the CHP.
2. No hearing was held.
3. Applicant's operating authority was cancelled due to unsatisfactory reinspection by the CHP.
4. Applicant has not sought reinstatement of operating authority after cancellation.

Conclusions of Law

1. This application should be dismissed for lack of prosecution.
2. This proceeding should be closed.

O R D E R

IT IS ORDERED that:

1. Application 93-07-026 is dismissed.
2. This proceeding is closed.

This order is effective today.

Dated September 3, 1997, at San Francisco, California.

P. GREGORY CONLON
President
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
Commissioners