

Decision 00-04-018 April 6, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Jose Luis Ayala-Aroche dba: El Corre Caminos to acquire and Mark K. Sneed and Jose Luis Ayala-Arouche, a partnership dba: El Corre Caminos to transfer a certificate of public convenience and necessity to operate as a passenger stage corporation and certain assets.

Application 97-10-069
(Filed October 22, 1997,
amended June 2, 1998)

Order Instituting Investigation into the operations of Mark K. Sneed and Jose Luis Ayala-Aroche, a partnership dba: El Corre Caminos.

Investigation 98-07-039
(Filed July 23, 1998)

Mark K. Sneed and Jose Luis Ayala-Aroche, a partnership dba: El Corre Caminos to amend certificate of public convenience and necessity to operate as a passenger stage corporation.

Application 98-07-063
(Filed July 30, 1998)

O P I N I O N

Summary

Jose Luis Ayala-Aroche, an individual doing business as El Corre Caminos, granted a permanent certificate to operate as a passenger stage corporation. (PSC-11518.)

Discussion

In Decision (D.) 99-03-042 Jose Luis Ayala-Aroche and Mark Sneed (Applicants), doing business as El Corre Caminos, were granted authority to transfer a passenger stage certificate to Ayala-Aroche. This was a result of a stipulation with the Rail Safety and Carriers Division of our Staff (RSCD) in

which Applicants admitted to violations in Investigation 98-07-039 and agreed to pay a fine and agreed to accept temporary operating authority. Ayala-Aroche filed a petition for permanent authority on January 13, 2000. In that petition he alleges that he has met all of the terms and conditions of probation and asks that his authority be made permanent.

RSCD had 15 days to respond to this petition. (Rules of Practice and Procedure 46; 45(f).) No response to the petition has been received.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code § 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

Findings of Fact

1. Ayala-Aroche filed a petition for permanent authority, as permitted by D.99-03-042.
2. Ayala-Aroche alleges that he has fulfilled all of the terms and conditions of D.99-03-042.
3. RSCD has not filed a response disputing the allegations of Ayala-Aroche.

Conclusions of Law

1. Ayala-Aroche has satisfied his probationary period of operation.
2. PSC-11518 should be made permanent.

O R D E R

IT IS ORDERED that:

1. The temporary certificate of public convenience and necessity granted to Jose Luis Ayala-Roche by Decision 99-03-042 authorizing him to operate as a passenger stage corporation, as defined in Pub. Util. Code § 226, is permanently granted.

2. This proceeding is closed.

This order is effective today.

Dated April 6, 2000, at San Francisco, California.

LORETTA M. LYNCH

President

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

CARL W. WOOD

Commissioners