

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution CE 10-92  
Transportation Division

R E S O L U T I O N

( RESOLUTION SUSPENDING AND REVOKING THE OPERATING )  
( AUTHORITY OF JOHN E. COFFMAN FOR FAILURE TO COMPLY )  
( WITH CITATION FORFEITURE NO. F-4237. )

WHEREAS: On February 14, 1991, JOHN E. COFFMAN was served with Citation Forfeiture No. F-4237 (copy attached); and

WHEREAS: The carrier agreed in writing to not contest the citation and to pay the fine of \$2,500 imposed by Citation Forfeiture No. 4237 in three installments, the first of \$900 and the rest of \$800, commencing May 25, 1991; and

WHEREAS: The carrier made one \$900 payment four months late. No further contact was had until staff issued a warning letter January 17, 1992 and then a partial payment of \$400 was received on March 5th. No further communication nor payments has been received;

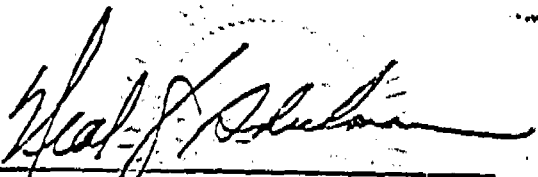
THEREFORE, IT IS ORDERED that:

- 1) The highway contract carrier permit, agricultural carrier permit and dump truck carrier permit of the above-named carrier are suspended for a period of 30 days, or until the \$1,200 balance of the citation forfeiture fine is paid in full.
- 2) If by the end of the 30-day period the carrier has not paid the fine nor filed for a hearing, then the carrier's operating authorities will be automatically revoked.
- 3) Filing of a request for hearing will stay the revocation of the permits, but the suspension will remain in force. The carrier may not operate.
- 4) During a hearing, the burden of proof will be on the carrier to show why the revocation should not take place.

The Executive Director is directed to mail a certified copy of this Resolution to JOHN E. COFFMAN.

This Resolution is effective today.

I hereby certify that the foregoing Resolution was duly introduced, passed and adopted by a regular meeting of the Public Utilities Commission, held on July 1, 1992. The following Commissioners approved it.

  
\_\_\_\_\_  
Neal J. Shulman  
Executive Director

DANIEL Wm. FESSLER  
President  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
NORMAN D. SHUMWAY  
Commissioners



**Public Utilities Commission**

FILE COPY

STATE OF CALIFORNIA

**CITATION FORFEITURE FOR VIOLATION  
OF PUBLIC UTILITIES CODE**

T- 77,777

Date: Feb. 14, 1991

No: Z-4237

To JOHN E. COFFMAN

Clovis

You are hereby cited with having violated Section(s) 3611  
of the Public Utilities Code by conducting operations as a dump truck  
carrier before you were issued a permit by the Commission  
authorizing such operations.

You are hereby called upon to answer this citation in person (or by a duly  
authorized officer or agent if a corporation) or by attorney on or before  
March 1, 1991.

By way of such answer you may either:

(1) State you will pay a fine<sup>TM</sup> in the sum of \$ 2,500.00 pursuant to Sec-  
tion(s) 3774 of the Public Utilities Code for which purpose you may use  
the enclosed Form 1; or

(2) Deny this citation for which purpose you may use the enclosed Form 2. In such  
event, a formal hearing may be held which might involve violations in addition to those  
listed above.

<sup>TM</sup> Payment of such fine may be by check or money order payable to Public Utilities Commission of the State of California.

Such answer should be addressed to:

Public Utilities Commission  
State of California  
Enforcement Section  
505 Van Ness Avenue  
San Francisco, California 94102

and deposited in the mail on or before the date hereinabove specified.

Upon payment of the fine hereinabove specified, it will be deposited in the State Treasury to the credit of the General Fund pursuant to said Section(s) 3774, and the Commission staff will not request the Commission to institute a formal proceeding in this matter.

Failure to answer this citation in either of the ways hereinabove described may itself be considered by the Commission in a formal proceeding commenced on its own motion as a distinct violation of law, and may itself be cause for canceling, revoking, or suspending your operating authority, or imposing upon you a fine pursuant to Section(s) 3774 of the Public Utilities Code.

PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA

\_\_\_\_\_  
G. T. KATAOKA, Principal  
Compliance and Enforcement Branch  
Transportation Division

Enclosures