

## Public Utilities Commission of the State of California

Resolution CE 13-91  
Transportation Division  
December 18, 1991

## R E S O L U T I O N

SUSPENDING AND REVOKING THE OPERATING AUTHORITY OF STEVEN PROELL AND THERESA PROELL, DOING BUSINESS AS THE WINE EXPRESS, VINEBURG, FOR FAILURE TO COMPLY WITH THE TERMS OF A CITATION.

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WHEREAS, on October 3, 1984, the Commission approved Resolution No. L-228, adopting a policy for carriers who have operating authority issued by the Commission and who fail to comply with a citation forfeiture issued by the Transportation Division, which policy allows the Executive Director to recommend suspension and revocation of that authority for such failure to comply; and

WHEREAS, on March 20, 1986, the Commission issued highway contract carrier operating authority to Steven Proell and Theresa Proell, doing business as PROELL DELIVERY SERVICE which was amended on March 23, 1989 to become The Wine Express, Vineburg; and

WHEREAS, on May 24, 1991, the Transportation Division served the carrier with Citation Forfeiture No. F-4309, for the amount of \$1,500.00; and

WHEREAS, on June 10, 1991, the carrier agreed to pay the full amount of the citation forfeiture in installments of \$100 on the tenth day of each month beginning with June 10, 1991, tendering the first such payment on that date; and

WHEREAS, subsequent to June 10, 1991, the carrier has not made any of its agreed payments; and

WHEREAS, the Transportation Division has properly advised the carrier of the consequences of its failure to comply with the citation forfeiture, pursuant to the provisions of Resolution No. L-228; and

WHEREAS, the carrier's failure to comply with the citation forfeiture continues;

## IT IS RESOLVED THAT:

1. The operating authority of the above-named carrier is suspended for a period of 30 days, or until the full amount of the

citation forfeiture is paid, during which time the carrier may not operate.

2. If by the end of the 30 day period the carrier has neither complied with the terms of the citation nor requested a hearing the operating authority of the above-named carrier will be automatically revoked.

3. Although a request for a hearing will stay the revocation of the operating authority, absent full payment of the amount of the citation forfeiture the suspension will remain in force and the carrier may not operate.

4. During the hearing, the carrier will have the burden of showing why its authority should not be revoked.

The Executive Director is directed to mail a certified copy of this resolution to:

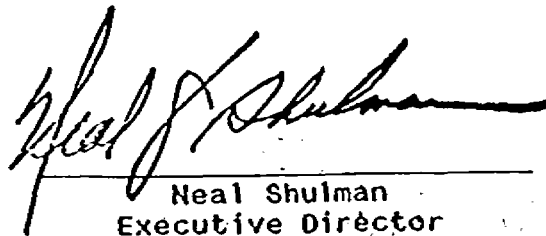
Steven Raymond and Theresa Ann Proell  
WINE EXPRESS  
P.O. Box 213  
Vineburg, CA 94587

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its conference on DEC 18 1991.

The following Commissioners approved it:

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

  
Neal Shulman  
Executive Director

June 10, 1991

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

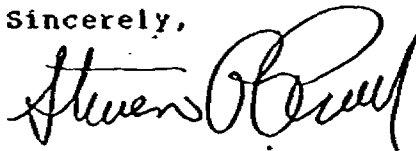
Dear Tom Boyd,

I am replying to citation #F-4309, dated 5/24/91.

The Wine Express has agreed to comply with the \$1500.00 fine  
You will find enclosed a check for \$100.00. We would like  
to make a total of fifteen monthly payments of one hundred  
dollars due on the 10th of each month. We were told by a P.U.C.  
official that this has been allowed and was a courtesy granted  
to in the past.

If you have any questions, please call me at (707)938-1780.

Sincerely,



Steve Proell

RECEIVED-SAN FRANCISCO  
PUBLIC UTILITIES COMMISSION  
STATE OF CALIFORNIA  
JUN 11 1991  
TRANSPORTATION DIVISION  
C & E BRANCH



T-151,149

**Public Utilities Commission**  
STATE OF CALIFORNIA

T. BOYD

**FORM 1**

I hereby state that I will comply with Citation Forfeiture  
No. F-4309 , dated \_\_\_\_\_ , and herewith  
pay a fine in the sum of \$ 150.00 .

Steven Proell and Theresa Proell, dba,  
**THE WINE EXPRESS**  
\_\_\_\_\_  
(Name of Carrier)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)