

Public Utilities Commission of the State of California

Resolution CE 18-92
Transportation Division
September 16, 1992

R E S O L U T I O N

(SUSPENDING AND REVOKING THE OPERATING AUTHORITY OF)
(DON TENBERGE, INC., BELLFLOWER, FOR FAILURE TO COMPLY)
(WITH THE TERMS OF UNDERCHARGE CITATION F-3672A.)
()

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 citations 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 August 5, 1988, the Transportation Division served the carrier with Undercharge Citation No. F-3672A for \$10,501.11, which payment was due September 5, 1988; and

WHEREAS, the carrier requested and received the opportunity to pay the \$10,501.11 obligation in installments of \$500.00 per month but has not complied with the terms of its payment plan and, to date, remains delinquent by \$3,000.00; and

WHEREAS, on August 24, 1989, the Transportation Division notified the carrier that its operating authority is subject to suspension and revocation for failure to comply with the undercharge citation pursuant to Resolution No. L-228; and

WHEREAS, the agreed condition of the transfer of the operating authority of Don Ten Berge, an individual, to Don TenBerge, Inc., provided that the successor, and its president, Michael TenBerge, assume the liability for the balance of the obligation.

IT IS RESOLVED THAT:

1. Michael TenBerge, president of Don TenBerge Inc., is hereby directed to remit the balance of \$3,000.00 in six monthly installments of \$500.00 each installment due on the fifth day of each successive month beginning in the month following the effective date hereof.

2. In the event that any one of the six payments is not received within twenty days of the date due, the operating authority is suspended as of that date; if such delinquent installment is not received within the following ten days, the operating authority is revoked.

3. At any time prior to the complete payment of the \$3,000.00 balance, the carrier may request a hearing on this matter.

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

5. This resolution expires with the full receipt of the \$3,000.00 balance due or upon the revocation of the operating authority.

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

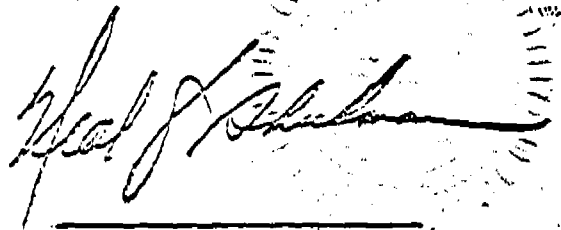
Don Ten Berge
BELLFLOWER TRAILER RENTALS
10416 Chestnut
Bellflower, CA 90706

Michael TenBerge, President
DON TENBERGE, INC.
9528 E. Compton Blvd.
Bellflower, CA 90706

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its conference on ~~SEP 16, 1992~~

The following Commissioners approved it:



Neal Shulman
Executive Director

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