

Public Utilities Commission of the State of California

Resolution CE 1-95
Safety and Enforcement Division
February 8, 1995

R E S O L U T I O N

SUSPENDING AND REVOKING THE OPERATING AUTHORITIES
OF JOSEPH C. FIORENTINO, FOR FAILURE TO COMPLY WITH
THE TERMS OF A CITATION.

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

WHEREAS, Joseph C. Fiorentino (Fiorentino) holds three separate operating authorities issued in 1990;

WHEREAS, on November 22, 1993, the Transportation Division, predecessor to the Safety and Enforcement Division, served Fiorentino with Citation Forfeiture No. F-4742 for \$1,000;

WHEREAS, on January 6, 1994, the staff notified Fiorentino that it had received no response from him regarding the payment of that citation;

WHEREAS, on January 10, 1994, Fiorentino contacted the staff and requested a payment plan, agreeing to make payments commencing January, 1994 with a final payment on June, 1994, to which the staff agreed and subsequently mailed him a payment plan;

WHEREAS, Fiorentino made five payments but has not made his final payment of \$250.00;

WHEREAS, on three separate occasions, namely August 22, 1994 (in a letter returned by the Post Office), September 8, 1994 and October 24, 1994, the staff attempted to notify Fiorentino that his final payment was due;

WHEREAS, Fiorentino has not made any further payments nor responded to the staff;

WHEREAS, the Safety and Enforcement Division has properly advised Fiorentino of the consequences of his failure to comply with the citation, pursuant to the provisions of Resolution No. L-228; and

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

IT IS RESOLVED THAT:

1. All operating authorities of Joseph C. Fiorentino, are suspended for a period of 30 days, or until the full amount of the citation is paid, during which time he may not operate.

2. If by the end of the 30-day period, Joseph C. Fiorentino has neither complied with the terms of the citation nor requested a hearing, his operating authorities will be automatically revoked.

3. Although a request for a hearing will stay the revocation of the operating authorities, absent full payment of the amount of the citation the suspension will remain in force and Joseph C. Fiorentino may not operate. If Fiorentino's operating authorities are now in suspension, they may not be reinstated until he complies with the citation.

4. During the hearing, Joseph C. Fiorentino will have the burden of showing cause why his operating authorities should not be revoked.

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

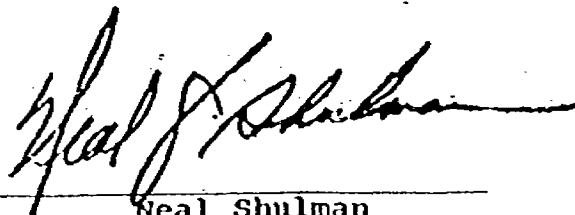
Joseph C. Fiorentino
1515 Hill Drive
Los Angeles, CA 90041

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its conference on February 8, 1995.

The following Commissioners approved it:

DANIEL WM. FESSLER
President
NORMAN D. SHUNWAY
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
Commissioners


Neal Shulman
Executive Director