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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution CE 2-88  
Transportation Division

R E S O L U T I O N

( RESOLUTION SUSPENDING AND REVOKING THE HIGHWAY CONTRACT )  
( CARRIER PERMIT OF GERRY A. HUDSON AND FRANK DELA RIVA, )  
( DOING BUSINESS AS D & H MID-VALLEY TRANSPORTATION FOR )  
( FAILURE TO PRODUCE RECORDS FOR EXAMINATION )

Gerry A. Hudson and Frank Dela Riva, doing business as D & H Mid-Valley Transportation, (T-146,477), P.O. Box 2537, Fresno, CA 93745, holds a Highway Contract Carrier permit issued by this Commission.

By a Notice to Appear dated February 23, 1987, the Transportation Division staff requested this carrier to produce certain specified records at the Commission's office located at 2550 Mariposa Street, Room 4047, Fresno for the purpose of determining compliance with the Commission's rules and regulations. The carrier failed to furnish the requested records or to reschedule the appointment. By letter dated October 2, 1987, this carrier was directed to produce said records at our Fresno office on October 16, 1987 at 10 A.M.

The carrier did not produce its records in response to the staff's requests. The carrier has made no subsequent attempt to comply with the staff's request to furnish its records for examination.

The Commission finds that Gerry A. Hudson and Frank Dela Riva, doing business as D & H Mid-Valley Transportation has failed to produce the records pertaining to their operations as a Highway Contract Carrier after sufficient requests have been made upon them pursuant to Sections 3705 and 3706 of the Public Utilities Code. The Commission concludes that their Highway Contract Carrier permit should be suspended and revoked unless the records are produced for examination.

IT IS ORDERED that:

The Highway Contract Carrier permit issued to Gerry A. Hudson and Frank Dela Riva, doing business as D & H Mid-Valley Transportation, is suspended thirty days after the effective date of this order and shall be revoked thirty days after the suspension, unless prior to the dates of suspension and revocation the carrier produces the records specified below for examination in the Commission's office located at 2550 Mariposa Street, Room 4047, Fresno, CA 93721, telephone (209) 445-5081, at a mutually agreed upon time.

Resolution CE 2-88

The carrier shall produce the following records:

1. All freight bills, bills of lading, accounts receivable records, accounts payable records, bank deposit records, cancelled checks and related documents dating from April 1, 1985 to July 31, 1985.
2. All freight bills, bills of lading, accounts receivable records, accounts payable records, bank deposit records, cancelled checks and related documents dating from July 1, 1987 to October 31, 1987.

Should Gerry A. Hudson or Frank Dela Riva desire to protest this action, a formal application requesting a hearing must be filed in accordance with the Commission's Rules of Practice and Procedure. Such application will stay the revocation of carrier's operating authority.

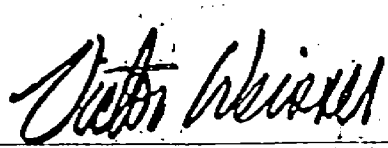
The Executive Director is directed to cause service of a certified copy of the resolution on Gerry A. Hudson or Frank Dela Riva.

The effective date of this order is the date of service upon the carrier.

I hereby certify that the foregoing resolution was duly introduced, passed, and adopted at a regular meeting of the Public Utilities Commission of the State of California, held on JAN 28 1988.

The following Commissioners voted favorably.

STANLEY W. HULETT  
President  
DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
JOHN B. OHANIAN  
Commissioners

  
Victor Weisser  
Executive Director