

R E S O L U T I O N

(RESOLUTION LIFTING THE SUSPENSION AND REVOCATION OF)
(THE OPERATING AUTHORITY OF C & T TRUCKING, INC. FOR)
(FAILURE TO COMPLY WITH UNDERCHARGE CITATION NO.)
(F-3379A AND CITATION FORFEITURE NO. F-3379B.)

WHEREAS: On March 22, 1989, the Commission adopted Resolution CE 03-89 suspending and revoking the operating authority of C&T Trucking, Inc. (F-97,916) for failure to comply with Undercharge Citation No. F-3379A and Citation Forfeiture No. F-3379B ; and

WHEREAS: The carrier has now paid the fine of \$ 2,000 imposed by Citation Forfeiture No. F-3379B, agreed to pay \$ 5,000 toward the \$ 16,136.62 fine imposed by Undercharge Citation No. F-3379A within 30 days and additional amounts upon collection of the undercharges, to resume \$ 500 monthly payments in the interim as previously agreed in a fine payment agreement executed with the staff, and to take all reasonable steps, including legal action, to collect the undercharges;

THEREFORE: IT IS ORDERED that:

- 1) Resolution CE 03-89 is further modified to provide that the suspension and impending revocation of the highway contract carrier permit, highway common carrier certificate, agricultural carrier permit and dump truck carrier permits of the above-named carrier are lifted pending staff verification of carrier compliance with Undercharge Citation No. F-3379A under the terms set forth in this Resolution.
- 2) If by the end of a 90-day period the carrier has failed to comply with the terms of this resolution nor filed for a hearing, then the carrier's operating authorities will be automatically suspended and will be revoked at the end of a subsequent 30-day period.

Page Two

- 3) Filing of a request for hearing will stay the revocation of the permits and certificate, 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 suspension and revocation should not take place.

The Executive Director is directed to mail a certified copy of this resolution to C & T TRUCKING, INC. P.O. Box 267 Station A Richmond, CA 94808

This resolution is effective today.

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 APR 12 1969.

The following Commissioners approved it.

G. MITCHELL WILK
President
STANLEY W. HULETT
JOHN B. OHANIAN
Commissioners



Victor Weisser
Executive Director

Commissioner Frederick R. Duda being necessarily absent, did not participate.

Commissioner Patricia M. Eckert present but not participating.