

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RESOLUTION CE 6-92
Transportation Division
April 22, 1992

R E S O L U T I O N

SUSPENDING AND REVOKING THE OPERATING AUTHORITIES
OF CHARLES A. CIAPUSCI FOR FAILURE TO COMPLY WITH
CITATION FORFEITURE NO. F-4051.

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 the citation forfeiture issued by the Transportation Division. Under this policy, the Executive Director may recommend suspension and revocation of the carrier's authority for such failure to comply; and

WHEREAS, on May 1, 1990, the Transportation Division served Charles A. Ciapuci Citation Forfeiture No. F-4051, in the amount of \$3,500.00.

WHEREAS, on May 14, 1990, the carrier signed both the Form 1 agreeing to comply with the citation and an agreement to remit the fine in two monthly installments of \$250.00 each and six monthly installments of \$500.00 each, commencing June 1, 1990.

WHEREAS, the carrier made three payments of \$250.00 each and a fourth payment of \$500.00 on September 19, 1990; however, no further payments have been received.

WHEREAS, on May 10, 1991, the carrier was sent a letter by the staff regarding his delinquent payment, but the carrier did not respond. Despite numerous attempts by the staff to obtain compliance with the citation, the carrier has failed to fulfill his payment agreement.

WHEREAS, on January 22, 1992, the warning letter required by Resolution L-228 was mailed to the carrier; and

WHEREAS, the carrier has failed to comply with the requirements of the citation after agreeing to do so in writing:

IT IS RESOLVED THAT:

1. All the operating authorities of the above-named carrier are suspended for a period of 30 days, or until the fine balance of \$2,250.00 is paid. The carrier may not operate during suspension.

2. If by the end of the 30 day period the carrier has not complied with the terms of the citation nor filed for a hearing, then all the operating authorities of the above-named carrier will be automatically revoked.

3. Filing of a request for hearing will stay the revocation of operating authorities, 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 revocation should not take place.

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

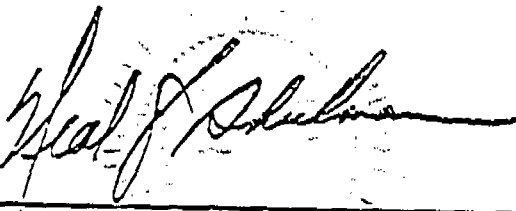
Charles A. Ciapusci dba
2334 Jenes Lane
Santa Rosa, CA 95403

This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its conference on April 22, 1992.

The following Commissioners approved it:

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



Neal Shulman
Executive Director