

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. CE 8-90
Transportation Division
August 8, 1990

R E S O L U T I O N

(RESOLUTION SUSPENDING AND REVOKING THE HIGHWAY)
(CONTRACT CARRIER PERMIT OF JOHN MENIFEE, AN)
(INDIVIDUAL DOING BUSINESS AS J M TRUCKING FOR)
(FAILURE TO PRODUCE RECORDS FOR EXAMINATION.)

John Menifée, an individual doing business as J M Trucking (T-166,607), 226 East 137th Street, Los Angeles, CA 90061, holds a Highway Contract Carrier Permit issued by this Commission.

By telephone on May 2, 7, and 10, 1990, and letters dated May 15 and June 19, 1990, pursuant to Sections 3705, 3706 and 3774(b) of the Public Utilities Code, this carrier was informed that the Commission's Transportation Division desired to examine his transportation records for the purpose of determining compliance with the Commission's rules and regulations. The carrier was requested to produce certain specified records covering the period October 1, 1987 to April 30, 1990, inclusive, at the Commission's Office at 5604 W. Slauson, Room 252, Culver City, CA on Tuesday, May 29, 1990, at 9:00 a.m.

The carrier did not produce his records in response to the staff's requests. Several prior attempts to examine this carrier's records were also disregarded. The carrier has made no subsequent attempt to comply with the staff's request to furnish his records for examination.

The Commission finds that John Menifée, doing business as J M Trucking, has failed to produce the records pertaining to his operations as a Highway Contract Carrier after sufficient requests have been made upon him pursuant to Sections 3705, 3706 and 3774(b) of the Public Utilities Code. The Commission concludes that his 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 John Menifée, doing business as J M Trucking, is suspended thirty days after the effective date of this order and should be revoked thirty days after the date of 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 5601 W. Slauson, Room 252, Culver City, CA 90230, telephone (213) 412-6349, at a mutually agreed upon time.

The carrier shall produce all accounts, books, records, memoranda, documents, papers, correspondence, and any other supporting documents covering the period October 1, 1989 to April 30, 1990 inclusive.

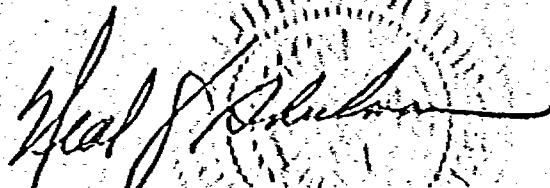
Should John Menifee desire to protest this action, a formal application requesting a hearing must be filed in accordance with the Commission's Rules of Practice and Procedure. Such application will stay the revocation of carrier's operating authority.

The Executive Director is directed to cause service of a certified copy of this resolution on John Menifee.

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

I hereby certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on AUG 8 1990, 1990. The following Commissioners approved it:

G. MITCHELL WILK
President
FREDERICK R. DUOA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners



Neal Shulman
Executive Director