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ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into the operations
and practices of Phillip Hernandez

) FILED
) PUBLIC UTILITIES COMMISSION
) JANUARY 24, 1990
) SAN FRANCISCO OFFICE
) I.90-01-029

ORDER INSTITUTING INVESTIGATION

It appearing that respondent Phillip Hernandez, whose mailing address is 13223 Tenth Street, Chino, California 91710, is engaged in the business of transporting property over the public highways of this State for compensation, having been issued by this Commission seasonal agricultural carrier permits, each expiring by its own terms, and, subsequently, a permanent agricultural carrier permit.

It further appearing that respondent may have violated Section 3582 of the Public Utilities Code;

Therefore, good cause appearing,

IT IS ORDERED that an investigation on the Commission's own motion is hereby instituted into the operations and practices of respondent Hernandez for the purpose of determining:

1. Whether respondent Hernandez has violated Section 3582 of the Public Utilities Code by transporting unprocessed agricultural commodities without having in force and effect a permit issued by the Commission authorizing such operation.

2. Whether any or all of respondent's operating authority should be cancelled, revoked, or suspended, or in the alternative, a fine imposed pursuant to Section 3774 of the Public Utilities Code.

3. Whether respondent should be ordered to cease and desist from any unlawful operations or practices.

4. Whether any other order or orders that may be appropriate should be entered in the lawful exercise of the Commission's jurisdiction.

5. The scope of the investigation includes, but is not limited to, transportation represented by settlement statements dated January 31, 1987 and May 31, 1987 and the following hand tags:

<u>No.</u>	<u>Date</u>	<u>No.</u>	<u>Date</u>
2810	1/7/87	2675	5/1/87
2811	1/8/87	3350	5/2/87
2812	1/10/87	3351	5/4/87
2813	1/12/87	3352	5/5/87
2814	1/14/87	3353	5/7/87
2815	1/15/87	3354	5/8/87
2816	1/17/87	3355	5/11/87
2817	1/21/87	3356	5/12/87
2818	1/22/87	3357	5/13/87
2819	1/23/87	3359	5/16/87
2820	1/28/87	unnumbered	5/18/87
		3360	5/20/87
		3361	5/21/87
		3363	5/25/87
		3364	5/26/87
		3367	5/28/87
		3369	5/30/87

A public hearing in this matter shall be held before an Administrative Law Judge of the Commission at a time and place to be determined, at which time and place all interested parties may appear and be heard.

The Executive Director is directed to cause a certified copy of this order to be served personally forthwith on respondent Hernandez.

This order is effective today.

Dated January 24, 1990, at San Francisco, California

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.

Wesley Franklin

WESLEY FRANKLIN, Acting Executive Director -

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