

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TL-18376  
Transportation Division  
Page 1 of 2 pages

R E S O L U T I O N

RESOLUTION RESCINDING RESOLUTION PE 580 AND REVISING PROCEDURES UNDER WHICH THE EXECUTIVE DIRECTOR SUSPENDS, REVOKES OR REINSTATES THE OPERATING AUTHORITIES OF PASSENGER STAGE CORPORATIONS, VESSEL COMMON CARRIERS AND CHARTER PARTY CARRIERS OF PASSENGERS FOR NON-PAYMENT OF PUBLIC UTILITIES COMMISSION TRANSPORTATION REIMBURSEMENT ACCOUNT (PUCTRA) FEES

Passenger stage corporations, vessel common carriers, and charter party carriers of passengers are required by statute (Chapter 2.5, Sections 401 through 425 of the Public Utilities Code) to remit fees to the Public Utilities Commission Transportation Reimbursement Account (PUCTRA), subject to a late penalty, or suspension or revocation, if not paid. The late penalty is assessed 30 days after the due date. The Commission annually determines the fee and penalty to be paid by carriers (current Commission Resolution M-4755, dated May 4, 1990).

Section 405 of Chapter 2.5 states if any person or corporation subject to this chapter is in default of the preparation and submission of any report or the payment of any fee required by this chapter for a period of 30 days or more the Commission may suspend or revoke the certificate of public convenience and necessity, permit, or other operating authority of the person or corporation or order the person or corporation to cease and desist from conducting all operations subject to the jurisdiction of the Commission.

Resolution PE-580 authorized the Executive Director, on behalf of the commission, to suspend or revoke the operating authorities of passenger stage corporations, vessel common carriers, and charter party carriers of passengers and provided a procedure to reinstate a carrier after a suspension. No allowance was made for a carrier to be reinstated after its authority had been revoked.

From time to time it is in the public interest to reinstate the operating authority of a carrier which has been revoked for failure to pay PUCTRA fees. This should be allowed within 90 days of the effective date of the revocation upon written request by the carrier provided that all fees, penalties and fines have been paid, that the carrier has a current certificate of insurance and any required tariffs on file. There should be a \$125 reinstatement fee for each authority.

IT IS ORDERED that:

1. Resolution PE 580 is rescinded.
2. The Executive Director is authorized, on behalf of the Commission, to suspend, revoke or reinstate the operating authorities of passenger stage corporations, vessel common carriers and charter-party carriers of passengers subject to the following requirements:
  - a) Any carrier which has been deficient in meeting its PUCTRA obligations for 30 days from the due date and which has not received an extension from the Commission pursuant to PU Code Section 405 shall be suspended by order of the Executive Director.
  - b) Any suspended carrier not reinstated within 45 days of date of suspension pursuant to P.U. Code 405 shall be revoked by order of the Executive Director.
  - c) The revoked operating authority of carriers shall be reinstated provided written request from the carrier is received with a \$125.00 reinstatement fee for each authority within 90 days of the revocation date and fees, penalties and fines have been paid by order of the Executive Director.
  - d) No carrier shall be reinstated unless it has a current certificate of insurance and any required tariffs on file with the Commission.
  - e) Each order when signed by the Executive Director shall be deemed to be the order of the Commission.
  - f) Each order shall read that it was issued pursuant to this resolution and that it is deemed to be the order of the Commission.

This resolution is effective today.

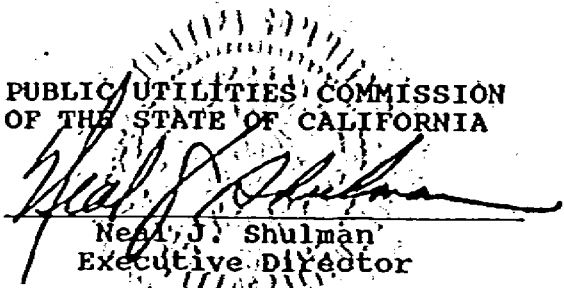
I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on SEP 12 1990.

The following Commissioners approved it.

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

Commissioner John B. Ohanian  
being necessarily absent  
did not participate.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

  
Neal J. Shulman  
Executive Director