

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ-320
Administrative Law Judge Division

RESOLUTION

RESOLUTION ALJ-320. Resolves K.15-06-022, the Appeal of CChang LLC, dba SuperShuttle (TCP 33302) from Citation LAX-970 issued on May 18, 2015 by the Safety and Enforcement Division.

SUMMARY

This resolution dismisses with prejudice the Appeal of CChang LLC, dba SuperShuttle (TCP 33302) from Citation LAX-970 issued on May 18, 2015,¹ by the California Public Utilities Commission's (Commission) Safety and Enforcement Division (SED) for violations of the Public Utilities Code Sections and General Order 157-D. This proceeding is closed.

BACKGROUND

The Commission regulates charter-party carriers of passengers primarily pursuant to the Passenger Charter-Party Carriers' Act (Pub. Util. Code § 5351, et seq.) Pursuant to Resolution ALJ-187, issued by the Commission on September 22, 2005, SED² is authorized to issue citations to various classes of transportation carriers for violation of the Public Utilities Code and/or Commission orders. In turn, a carrier issued such a citation may accept the fine imposed or contest it through a process of appeal under Resolution ALJ-299.³

¹ The citation was issued on May 18, 2015 for violations during the field inspection that took place on April 29, 2015.

² ALJ-187 confers authority on the Consumer Protection and Safety Division now known as the Safety and Enforcement Division.

³ The Commission issued Resolution ALJ-299 on June 26, 2014 for application beginning on January 1, 2015.

On May 18, 2015, SED issued Citation LAX-970 to CChang LLC, dba SuperShuttle (CChang). CChang appealed the Citation on June 9, 2015. Hearings were scheduled on August 25, 2015. However, on August 25, 2015, appellant submitted a written request to withdraw the instant appeal. SED did not oppose this request.

DISCUSSION

Citation Appeal K.15-06-022, the Appeal of CChang LLC, dba SuperShuttle (TCP 33302) from Citation LAX-970 should be dismissed because there are no remaining issues for the Commission to resolve.

SAFETY

The Commission has broad authority to regulate charter-party carriers, particularly with regard to safety concerns. (See for example, Pub. Util. Code § 451, 5382 and 5387.) Dismissal of the appeal is consistent with the Commission's authority to ensure charter-party carriers are meeting their regulatory obligations.

COMMENTS

No public review or comment is required for this resolution pursuant to Rule 14.7 of Commission's Rules of Practice and Procedure.

ASSIGNMENT OF PROCEEDING

Katherine Kwan MacDonald is the assigned Administrative Law Judge for this citation appeal.

THEREFORE, IT IS ORDERED that:

1. The Appeal of CChang LLC, dba SuperShuttle (TCP 33302) from Citation LAX-970 is dismissed with prejudice.
2. This proceeding is closed.

This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on _____, the following Commissioners voting favorably thereon:

Timothy J. Sullivan
Executive Director

***** SERVICE LIST *****

K15-06-022, the Appeal of CChang LLC from Citation LAX-970

***** PARTIES *****

Casey William Chang
CCHANG LLC
5708 TEMPLE CITY BLVD., APT. L
TEMPLE CITY CA 91780
(626) 216-2766
kyawchang@gmail.com
For: CChang LLC d/b/a SuperShuttle

John Roldan
Safety and Enforcement Division
RM. 500
320 West 4th Street Suite 500
Los Angeles CA 90013
(213) 576-7058
jmr@cpuc.ca.gov

Shanna Foley
Legal Division
RM. 5125
505 Van Ness Avenue
San Francisco CA 94102 3298
(415) 703-2969
sf2@cpuc.ca.gov
For: SED

***** STATE EMPLOYEE *****

Arocles Aguilar
Legal Division
CALIFORNIA PUBLIC UTILITIES COMMISSION
505 VAN NESS AVE., ROOM 5138
SAN FRANCISCO CA 94102
(415) 703-4573
arocles.aguilar@cpuc.ca.gov

Adrienne E. Johnson
Safety and Enforcement Division
RM. 500
320 West 4th Street Suite 500
Los Angeles CA 90013
(213) 576-7098
adj@cpuc.ca.gov

Katherine MacDonald
Administrative Law Judge Division
RM. 5042
505 Van Ness Avenue
San Francisco CA 94102 3298
(415) 703-1839
kk3@cpuc.ca.gov

Elizaveta I. Malashenko
Safety and Enforcement Division
RM. 2203
505 Van Ness Avenue
San Francisco CA 94102 3298
(415) 703-2349
eim@cpuc.ca.gov