

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ-341
Administrative Law Judge Division
June 9, 2016

RESOLUTION

RESOLUTION ALJ-341. Resolves K.16-03-005, the Appeal of Yabsra Transportation LLC (PSG 31748) from Citation FC-772 issued on December 29, 2015 by the Transportation Enforcement Section of the Safety and Enforcement Division

PURSUANT TO RESOLUTION ALJ-187

This resolution resolves the Appeal of Yabsra Transportation LLC ((PSG 31748) (Yabsra)) from Citation FC-772 issued on December 29, 2015 by the California Public Utilities Commission, Transportation Enforcement Section of the Safety and Enforcement Division (SED) for violations of the Public Utilities Code Sections and General Order 157-D. On May 5, 2016, Yabsra submitted a written request to withdraw the instant appeal upon reaching a mutually agreeable settlement with SED that allows appellant to pay the \$3,000 fine in full by monthly installment payments. SED did not oppose the request to withdraw the appeal.

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, SED¹ 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

¹ ALJ-187 confers authority on the Consumer Protection and Safety Division now known as the Safety and Enforcement Division.

citation may accept the fine imposed or contest it through a process of appeal under Resolution ALJ-299.²

The appeal of Yabsra from Citation FC-772 issued on December 29, 2015 by the Transportation Enforcement Section of the Safety and Enforcement Division 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.) Withdrawal 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.

THEREFORE, IT IS ORDERED that:

1. The Appeal of Yabsra Transportation LLC (PSG31748) from Citation FC-772 issued on December 29, 2015 is dismissed with prejudice.
2. This proceeding is closed.

This resolution is effective today.

² The Commission issued Resolution ALJ-299 on June 26, 2014 for application beginning on January 1, 2015.

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 June 9, 2016, the following Commissioners voting favorably thereon:

 /s/ TIMOTHY J. SULLIVAN
TIMOTHY J. SULLIVAN

MICHAEL PICKER
 President
MICHEL PETER FLORIO
CATHERINE J.K. SANDOVAL
CARLA J. PETERMAN
LIANE M. RANDOLPH
 Commissioners

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

K1603005 LIST

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***** PARTIES *****

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***** INFORMATION ONLY *****