

Decision No. 73940**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's )  
own motion into the operations, )  
rates, and practices of FRED J. )  
WIEDMAN. )

Case No. 8714

ORDER MODIFYING DECISION NO. 73531

By letter filed March 14, 1968, respondent requests authority to pay one-half of the fine of \$2,254.65 imposed by ordering paragraph 1 of Decision No. 73531, dated December 27, 1967, on or before June 4, 1968, and the balance thereof in ten monthly installments. In addition, he requests modification of ordering paragraph 3 of said decision to provide that reports of undercharges remaining to be collected may be filed quarterly rather than monthly. The letter states that respondent has not been able to collect the \$2,104.65 in undercharges ordered to be collected by Decision No. 73531 from the shipper involved; that legal action has been instituted to effect collection; that respondent does not have the financial ability to pay the fine in a single payment at this time; and that there will be periods of time prior to trial of his undercharge complaint during which there will be no new information available to report.

It appears to the Commission that ordering paragraphs 1 and 3 of Decision No. 73531 should be modified as provided in the order which follows.

IT IS ORDERED that:

1. Subject to the provisions of paragraph 2 hereof, the fine imposed by ordering paragraph 1 of Decision No. 73531, dated December 27, 1967, may be paid as follows:

- (a) One-half (\$1,127.33) may be paid on or before July 1, 1968.
- (b) The remaining balance may be paid in successive installments of \$112.75 each and a final installment of \$112.57, with the first installment due on August 1, 1968, and each succeeding payment due on the first day of each month thereafter until said balance has been paid in full.

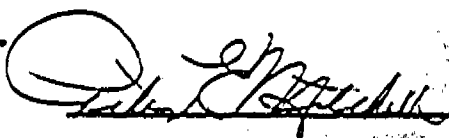
2. In addition to the payment schedule authorized by paragraph 1 hereof, respondent shall apply towards payment of said fine any of the undercharges ordered to be collected by Decision No. 73531 within five days after collection thereof, in which event the amount of the final installment shall be adjusted accordingly.


3. Ordering paragraph 3 of Decision No. 73531 is modified to provide that reports of undercharges remaining to be collected may be filed quarterly on the first Monday after the end of each third month commencing with July 1, 1968.

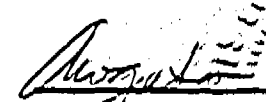
4. In all other respects, Decision No. 73531 shall remain in full force and effect.

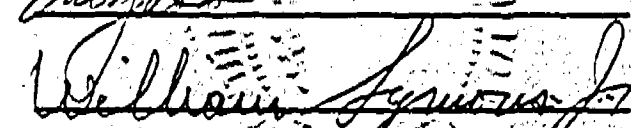
The effective date of this order shall be the date hereof.

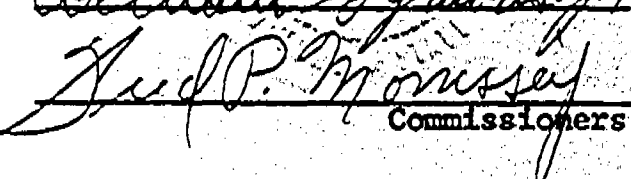
Dated at San Francisco, California, this 2nd day of APRIL, 1968.

  
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President

  
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Commissioner

  
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Commissioner

  
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Commissioners