

ORIGINALDecision No. 74299

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into the operations,
rates and practices of THOMAS N.
COOPER and CHESTER L. COOPER,
doing business as COOPER TRANSPORT.

Case No. 8065

FIRST SUPPLEMENTAL ORDER

Decision No. 69238 in the above-entitled matter found that the respondents violated certain sections of the Public Utilities Code. The Commission ordered the payment of a fine and the collection of specified undercharges. Ordering Paragraph 3 provided that monthly reports be filed with respect to undercharges which remained uncollected after sixty days. Subsequent to the entry of Decision No. 69238, the respondents were adjudicated to be bankrupts. The Trustee in Bankruptcy has continued to attempt the collection of undercharges as provided in the Commission's order. One undercharge has been collected. The Trustee has filed two suits in the Fresno Superior Court seeking to collect other undercharges. In a communication received on May 22, 1968, the attorney for the Trustee indicates that the lawsuits are progressing slowly and requests that the monthly report requirements be changed to a quarterly one. The Commission is of the opinion and finds that the request should be granted.

IT IS ORDERED that Ordering Paragraph 3 of Decision No. 69238 is modified as follows:

3. In the event undercharges ordered to be collected by paragraph 2 of this order, or any part of such undercharges,

remain uncollected sixty days after the effective date of this order, respondents shall proceed promptly, diligently and in good faith to pursue all reasonable measures to collect them; commencing August 1, 1968, respondents shall file with the Commission, on the first Monday of each third month, a report of the undercharges remaining to be collected and specifying the action taken to collect such undercharges, and the result of such action, until such undercharges have been collected in full or until further order of the Commission.

In all other respects Decision No. 69233 shall remain in full force and effect.

The effective date of this order shall be ten days after the date hereof.

Dated at San Francisco, California, this 28th day of JUNE, 1968.

Arthur E. Bittman
President
William L. Bennett
August
William J. Jones Jr.
Paul P. Monahan
Commissioners