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ORIGINAL

Decision No. 76708

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into the operations,
rates and practices of LLOYD A.
CANNON, doing business as LLOYD
CANNON TRUCKING.

Case No. 8610

ORDER AMENDING FINE

Respondent was directed by Decision No. 72975, as amended, to collect \$5,113.11 in undercharges and to pay a fine in the amount of said undercharges plus a \$2,000 punitive fine. The total amount of the fine was \$7,113.11 of which \$5,522.88 has been paid to date. The amount paid exceeds the punitive fine plus the portion of the undercharges that respondent has been able to collect. Respondent's attorney has advised that a judgment for the balance of the undercharges has been obtained but that the debtor shipper is financially unable to satisfy the judgment. This has been verified by the Commission staff. In the circumstances, respondent's attorney requests that respondent be excused from paying the balance of the fine.

It appears to the Commission that respondent has taken all reasonable measures to collect the undercharges ordered to be collected by Decision No. 72975, as amended, and that the amount of the fine imposed by ordering paragraph 1 of said decision should be modified to read \$5,522.88.

IT IS ORDERED that:

1. The amount of the fine imposed on respondent by ordering paragraph 1 of Decision No. 72975, as amended, is hereby modified to read \$5,522.88.

2. Respondent is excused from further compliance with the directives to collect undercharges and file reports in ordering paragraphs 2 and 3 of said Decision No. 72975.

3. In all other respects, said Decision No. 72975 shall remain in full force and effect.

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

Dated at San Francisco, California, this 27th
day of JANUARY, 1970.

William Lyons, Jr.
President
[Signature]
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James L. Sturgeon
Commissioners