

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

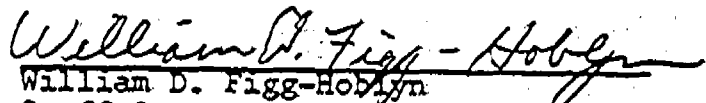
Investigation on the Commission's )  
own motion into the operations, )  
rates, charges and practices of )  
STANLEY V. HODGES, dba Hodges )  
Transportation Service, and LEO F. )  
PIAZZA PAVING COMPANY. )

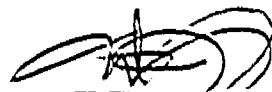
Case No. 8834

STIPULATION

It is hereby stipulated by the undersigned that:

1. The Leo F. Piazza Paving Company plant at 985 Blossom Hill Road, San Jose, California, with its pipeline and flex hose connection arrangement is not an on-rail location.
2. The undercharges to be collected by respondent Stanley V. Hodges from respondent Leo F. Piazza Paving Company and payable as a fine to the Commission are \$5,625.
3. This stipulation is void and shall have no effect unless and until approved by the Public Utilities Commission of the State of California.

  
William D. Figg-Hoblyn  
Staff Counsel

  
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Martin J. Rosen  
Attorney for Respondents  
Leo F. Piazza Paving Company  
and Stanley V. Hodges, dba  
Hodges Transportation Service

Dated: February 26, 1970

Decision No. 76880

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's	)	
own motion into the operations,	)	
rates, charges, and practices of	)	Case No. 8834
STANLEY V. HODGES, dba Hodges	)	(Filed August 13, 1968)
Transportation Service and Leo F.	)	
Piazza Paving Company.	)	
	)	

Martin J. Rosen, Attorney for respondents.  
William D. Figg-Hoblyn, Counsel, and J. B.  
Hannigan, for the Commission staff.

SUPPLEMENTAL ORDER

Rehearing in this matter was granted by order dated November 4, 1969. Since the date of such order, Counsel for respondents and Counsel for the Commission's staff have entered into a stipulation respecting a question of fact as well as the amount of undercharges existing for the transportation herein under investigation. Based upon said stipulation, the Commission finds that the Leo F. Piazza Paving Company at 985 Blossom Hill Road, San Jose, California, is not an on-rail location. The Commission concludes that undercharges of \$5,625 result from the transportation here in question, provided by respondent Stanley V. Hodges for respondent Leo F. Piazza Paving Company.

O R D E R

IT IS ORDERED that:

1. Stanley V. Hodges, doing business as Hodges Transportation Service, shall take such action, including legal action, as may be necessary to collect undercharges of \$5,625 from Leo F. Piazza Paving Company, and shall notify the Commission in writing upon the consummation of such collections.

2. Said Hodges shall pay a fine of \$5,625 to this Commission on or before the fortieth day after the effective date of this order.

3. Said Hodges shall proceed promptly, diligently and in good faith to pursue all reasonable measures to collect the undercharges, and in the event undercharges ordered to be collected by paragraph 1 of this order, or any part of such undercharges, remain uncollected sixty days after the effective date of this order, said Hodges shall file with the Commission, on the first Monday of each month after the end of said sixty days, a report of the undercharges remaining to be collected, 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.

4. Said Hodges shall cease and desist from charging and collecting compensation for the transportation of property or for any service in connection therewith in a lesser amount than the minimum rates and charges prescribed by this Commission.

The Secretary of the Commission is directed to cause personal service of this order to be made upon respondent Hodges. The effective date of this order shall be twenty days after the completion of such service. The Secretary is further directed to cause service by mail of this order to be made upon all other respondents. The effective date of this order, as to these respondents, shall be twenty days after completion of service by mail.

Dated at San Francisco, California, this 3rd day of  
MARCH, 1970.

William J. Lyons, Jr.  
President  
Augusta  
F. P. ...  
...  
Yvonne L. Sturgeon  
Commissioners