

NB

81204

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
own motion into the rates, opera-)
tions, and practices of O. D.)
HANSEN, JR. and FRED ReCUPIDO,)
doing business as O L TRUCKING.)

Case No. 8584

ORDER MODIFYING DECISION

By Decisions Nos. 73475 dated December 12, 1967 and 74603 dated August 27, 1968 in Case No. 8584 the Commission ordered O. D. Hansen, Jr. to pay a fine of \$5,000 and ordered O. D. Hansen, Jr. and Fred ReCupido, doing business as O L Trucking, to collect undercharges and to pay subhaulers. The attorneys for O L Trucking and Fred ReCupido have informed the Commission that undercharges have been collected and payments have been made but that there is presently in the attorneys' trust account approximately \$3,500, which represents amounts of undercharges collected but not paid to subhaulers because the subhaulers cannot be located. The attorneys request that the Commission permit O L Trucking to terminate its obligation to pay subhaulers and permit the attorneys to pay out of their trust account to this Commission the sum of \$1,300 toward Mr. Hansen's fine, if the Commission will waive the balance of the fine, and the remainder of the money to O L Trucking. The attorneys assert that O L Trucking has incurred thousands of dollars of legal expense and other costs in complying with Commission orders.

The attorneys assert that Mr. Hansen is heavily in debt including debts to O L Trucking and as a result is not entitled to any share of the money in the trust and has no money to pay the fine.

This matter has been outstanding for over five years. The Commission staff has made an independent investigation of this matter and confirms that the information submitted to the Commission is accurate. We find that the interests of justice require that this matter be terminated and that the proposed settlement is reasonable.

Therefore, IT IS ORDERED that the firm of Wien, Thorpe and Sutherland, the attorneys for O L Trucking, shall pay to the Public Utilities Commission of the State of California from funds collected pursuant to Decisions Nos. 73475 and 74603 the sum of \$1,300 as full payment of the fine of O. D. Hansen, Jr. Any remainder shall be paid to O L Trucking.

The effective date of this order is the date hereof.

Dated at Los Angeles, California, this 27th day
of MARCH, 1973.

Vernon L. Sturgeon
President
William J. ...
Richard J. ...
...
...
Commissioners