

BP

Decision No. 83140

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)
BOB DUNBAR, an individual, and)
SIERRA MOUNTAIN MILLS, a)
California corporation.)

Case No. 9521
(Filed March 13, 1973)

ORDER DENYING REHEARING
OF DECISION NO. 82406

A petition for rehearing of Decision No. 82406 was filed by Sierra Mountain Mills, one of the respondents in Case No. 9521, on February 19, 1974. By Decision No. 82697, dated April 2, 1974, the Commission, on its own motion, stayed the effective date of Decision No. 82406 pending further order of the Commission. The Commission, after considering the allegations in the petition for rehearing of Decision No. 82406, is of the opinion that good cause for rehearing of Decision No. 82406 has not been shown.

THEREFORE, IT IS ORDERED that:

1. Rehearing of Decision No. 82406 is hereby denied.
2. Bob Dunbar, one of the respondents in Case No. 9521, shall pay a fine to this Commission, pursuant to Section 3800 of the Public Utilities Code, of \$22,963.70 on or before the ninetieth day after the effective date of this order.
3. Respondent Bob Dunbar shall take such action, including legal action, as may be necessary to collect the undercharges set forth in Finding 7 of Decision No. 82406, and shall notify the Commission in writing upon collection.
4. Respondent Bob Dunbar shall proceed promptly, diligently, and in good faith to pursue all reasonable measures to collect the undercharges. In the event the undercharges ordered to be collected by ordering paragraph 2 of Decision No. 82406, or

any part of such undercharges, remain uncollected ninety days after the effective date of this order, respondent Bob Dunbar shall file with the Commission, on the first Monday of each month after the end of the ninety days, a report of the undercharges remaining to be collected, specifying the action, until such undercharges have been collected in full or until further order of the Commission.

5. Respondent Bob Dunbar 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 the Commission.

The Secretary of the Commission is directed to cause personal service of this order to be made upon respondent Bob Dunbar and to cause service by mail of this order to be made upon respondent Sierra Mountain Mills and its attorney, Marvin C. Colangelo. The effective date of this order as to each respondent is the date hereof.

Dated at San Francisco, California, this 16th day of JULY 1974.

Vernon L. Sturgeon
President
William J. Squire
William J. Squire
Alfred J. Squire
Alfred J. Squire
Commissioners