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Decision No. 84397

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
CHARLES A. VANDER HEYDEN, an
individual, VALK ENTERPRISES, INC.,
a California corporation, and
VALK WHOLESALE LUMBER COMPANY.

Case No. 9762

ORDER EXTENDING TIME

Decision No. 83903 dated December 30, 1974 in Case No. 9762 ordered Charles A. Vander Heyden (Heyden) to collect \$6,615.91 in undercharges from Valk Enterprises, Inc. (Valk), to pay a fine in the amount of the undercharges plus a punitive fine by March 7, 1975, and to file monthly reports specifying the action taken to collect the undercharges, until such undercharges have been collected in full or until further order of the Commission. The punitive fine has been paid. The fine in the amount of the undercharges has not been paid.

By letter dated March 31, 1975, Heyden has informed the Commission that Valk has not paid the undercharges; that he has filed suit against Valk for the undercharges; and that he does not have sufficient funds to pay the undercharge fine until collection is made from the shipper. He requests that he be authorized an extension of time within which to pay the undercharge fine until there has been a determination by the court in his suit against Valk and that since there would be nothing new to report each month during the processing of his legal action, he be allowed to file status reports quarterly instead of monthly. The Commission staff has advised that it has no objection to the requested modifications.

IT IS ORDERED that:

1. Ordering Paragraph 2 of Decision No. 83903 is amended to provide that the fine specified therein shall be paid within thirty days after the court has issued a final determination in the matter of Charles A. Vander Heyden v Valk Enterprises, Inc. and Valk Wholesale Lumber Company.

2. Ordering Paragraph 4 of Decision No. 83903 is amended to provide that the reports specified therein may be filed quarterly with the first report due on or before June 5, 1975.

3. In all other respects, Decision No. 83903 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at Los Angeles, California, this 6th
day of MAY, 1975.

Vernon L. Sturgeon
President
William J. Sturgeon
Leonard Ross
Robert K. Smith
Commissioners