

Decision No. 84889

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 SAND
 TRANSPORTATION SERVICE, INC., a
 California corporation, HILLSDALE ROCK
 COMPANY, INC., a California corporation;
 EULALIO GONZALES, an individual doing
 business as AL GONZALES CONCRETE;
 ZICOVICH ASSOCIATES, INC., a California
 corporation, doing business as CONCRETE
 SERVICE CO.; WILLIAM D. SMITH, INC., a
 California corporation; and PELLEGRINI
 PAVING COMPANY, INC., a California
 corporation.

Case No. 9577

ORDER MODIFYING DECISION NO. 84265

Ordering Paragraph 2 in Decision No. 84265 imposed a fine on respondent Sand Transportation Service, Inc. in the amount of undercharges of \$13,877.78 found to have been incurred in the performance of transportation for four shippers or receivers and required that the fine be paid on or before the forthleth day after the effective date of the decision. Sand Transportation Service, Inc. requests, in writing, that we allow it to make six successive monthly installments in satisfaction of that fine of \$2,000 each and one following monthly installment of \$1,877.78. The Commission's Transportation Division, by written memorandum, offered no objection to this request provided that any money collected by Sand Transportation Service, Inc. in connection with the undercharge collection during any given month which was in excess of \$2,000 would also be paid by Sand Transportation Service, Inc. toward the satisfaction of the fine in the month such money was collected and that the final installment be reduced accordingly.

IT IS ORDERED that Ordering Paragraph 2 in Decision No. 84265 dated April 1, 1975 is hereby modified to read as follows:

2. Sand Transportation Service, Inc. shall pay a fine to this Commission pursuant to Public Utilities Code Section 3800 of \$13,877.78 on or before October 1, 1975, provided, however, Sand Transportation Service, Inc. at its election may pay this fine in six consecutive monthly installments of no less than \$2,000 each, plus undercharges collected during the period preceding each installment payment due date if in excess of \$2,000, and one following monthly installment payment equalling the balance due. The first installment payment is due and payable on or before October 1, 1975 and the remaining installments are due and payable on or before the first day of each succeeding month thereafter until the full amount is paid. If an election is made to pay the fine in installments as above set out and Sand Transportation Service, Inc. fails to make any of the installment payments when due, the full amount of the unpaid balance will become immediately due and payable.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 10th day of SEPTEMBER, 1975.

William J. Quinn President
Vernon L. Stulgen
Ronald Ross
Commissioners

Commissioner Robert Batinevich, being necessarily absent, did not participate in the disposition of this proceeding.