

**ORIGINAL**

Decision 84 03 028

MAR 7 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's )  
own motion into the operations, rates, )  
and practices of DONALD MCKAY and )  
ARNOLD MCKAY, dba TWINS TRUCKING, and )  
of JIM'S SUPPLY COMPANY, INC., a )  
California corporation. )

OII 83-05-02  
(Filed May 4, 1983)

ORDER MODIFYING DECISION 83-10-081

Decision (D.) 83-10-081 in this investigation, dated October 19, 1983, found that Donald McKay and Arnold McKay, dba Twins Trucking, undercharged Jim's Supply Company, Inc. for transportation services. Donald McKay and Arnold McKay were ordered to collect the undercharges and were ordered, inter alia, to pay a \$2,500 fine under Public Utilities Code Section 3774.

On December 30, 1983 Donald McKay wrote to the Commission stating that Twins Trucking was unable to pay the entire amount on January 30, 1984 because several of its debtors had filed bankruptcy proceedings and requested that periodic payments be accepted in lieu of the lump sum amount ordered in D.83-10-081. The Transportation Division has no objection to modification of D.83-10-081 provided that Twins Trucking pay consecutive monthly payments of \$250 until the entire \$2,500 fine has been paid in full.

We believe such modification is reasonable.

IT IS ORDERED that Ordering Paragraph 1 of D.83-10-081 is modified to read:

1. Donald McKay and Arnold McKay shall pay a fine of \$5,000 to this Commission of which amount \$2,500 is suspended. The fine shall be paid in installments of at least \$250 per month, including interest at the rate of 7% per annum on the unpaid balance, commencing on February 20, 1984.

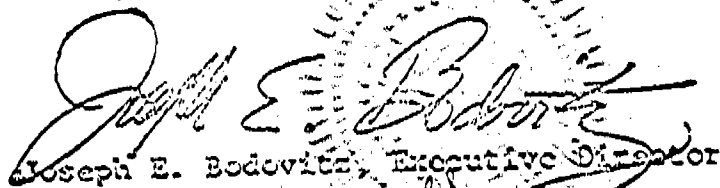
This order is effective today.

Dated MAR 7 1984, at San Francisco, California.

VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

Commissioner Leonard M. Grimes, Jr.,  
being necessarily absent, did not  
participate.

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

  
Joseph E. Bodovitz, Executive Director