

ORIGINAL

Decision No. 86954

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the operations, rates and practices of McANALLY TRANSPORTATION, INC., a California corporation; OH BOY! CORPORATION, a California corporation; POPPY FOOD COMPANY, a California corporation; ZACKY AND SONS POULTRY COMPANY, a California corporation; GOLDEN WHITE, INC., a California corporation; VERDA POULTRY COMPANY, a California corporation; and McANALLY ENTERPRISES, INC., a California corporation.

Case No. 9748

ORDER EXTENDING TIME

Decision No. 84196 dated March 18, 1975, as affirmed by Decision No. 86021 dated June 29, 1976, directed McAnally Transportation, Inc. (McAnally), among other things, to collect \$10,201.79 in undercharges from Oh Boy! Corporation (Oh Boy), to promptly and diligently pursue all reasonable measures to collect the undercharges, to file monthly reports of the action taken by it to collect the undercharges until they have been collected in full, and to pay a fine in the amount of the undercharges. Rehearing of Decision No. 86021 was denied by Decision No. 86348 dated August 31, 1976. The time limit within which McAnally was required to pay the Oh Boy undercharge fine has expired. McAnally's attorney

has advised that his client does not have the financial resources to pay this fine until the undercharges have been collected from Oh Boy, that a lawsuit has heretofore been filed against Oh Boy for the undercharges, and that he anticipates the lawsuit will be completed within six months. He requests that his client be granted a six-month extension of time within which to pay the Oh Boy undercharge fine and be authorized to file quarterly rather than monthly status reports of the action taken to collect the undercharges.

We find that McAnally's requests are reasonable and conclude that they should be granted. Because of the urgency of the requested extension of time, the order which follows will be made effective on the date it is issued.

IT IS ORDERED that:

1. The time limit within which McAnally Transportation, Inc. shall pay the \$10,201.79 remaining to be paid on the fine it was directed to pay to the Commission by Ordering Paragraph 2 of Decision No. 84196, as affirmed by Decision No. 86021, is extended to August 31, 1977.

2. McAnally Transportation, Inc. shall file the status reports required by Ordering Paragraph 4 of Decision No. 84196, as affirmed by Decision No. 86021, on a quarterly basis, with the first quarterly report due May 1, 1977.

3. In all other respects, Decision No. 84196, as affirmed by Decision No. 86021, shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Diego, California, this 8th
day of FEBRUARY, 1977.

Robert B. Baker
President
William J. Quinn
Terence L. Stutzman
Glenn
Michael D. Swallow
Commissioners