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Decision No. 87643 JUL 26 1977

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 FURTHER EXTENDING TIME

Decision No. 83903 dated December 30, 1974 ordered Charles A. Vander Heyden (Heyden) to collect \$6,615.91 in undercharges from Valk Enterprises, Inc. (Valk) and to pay a fine in the amount of the undercharges plus a punitive fine by March 7, 1975. The punitive fine has been paid. Heyden filed suit against Valk for the undercharges. Decision No. 84397 dated May 6, 1975 amended Ordering Paragraph 2 of Decision No. 83903 to provide that the undercharge fine should be paid within 30 days after the court has issued a final determination in the suit.

By letter dated May 31, 1977, Heyden's attorney advised the Commission that Heyden was awarded a default judgment against Valk on April 1, 1977; that exhaustive efforts by him and his client to locate assets and officers of Valk have been unsuccessful; that abstracts of the judgment have been filed in Los Angeles, Riverside, and San Bernardino Counties; that from information he has been able to obtain so far, it appears that it may not be possible to obtain satisfaction of the judgment; and that further attempts will be made to locate the officers of Valk. The letter states that Heyden is in financial difficulty and requests an additional extension of time within which to pay the undercharge fine. The Commission staff has

advised that it has no objection to an extension of time to June 1, 1978.

We find that the request is reasonable and conclude that the extension of time recommended by the staff should be granted.

IT IS ORDERED that:

1. Ordering Paragraph 2 of Decision No. 83903, as amended by Decision No. 84397, is further amended to provide that the fine specified therein shall be paid on or before June 1, 1978.

2. In all other respects, Decision No. 83903, as amended by Decision No. 84397, shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 26th day of JULY, 1977.

Robert B. Babin
William J. Quinn President
Vernon L. Lefterian
Richard D. Crovella

Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.