

Decision No. 89418 SEP 19 1978

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
 HAL SIMMONS TRUCKING CO., a
 California corporation;
 LOUISIANA-PACIFIC CORPORATION,
 a Delaware corporation; GEORGIA-
 PACIFIC CORPORATION, a Georgia
 corporation; COASTAL FOREST PRO-
 DUCTIONS, INC., a California corpora-
 tion; RAY HILL LUMBER CO., a
 California corporation; COCA-COLA
 BOTTLING CO., OF EUREKA, CALIFORNIA
 INC., a California corporation;
 G & R METALS EUREKA, INC., a
 California corporation; and BRACUT
 INTERNATIONAL, doing business as
 BRACUT CO., a California corpora-
 tion.

Case No. 10207
 (Filed November 16, 1976)
 Petition for Extension of Time
 and Modification of Order
 (Filed May 12, 1978)

ORDER EXTENDING TIME

Decision No. 87253 (April 26, 1977), as modified by
 Decisions Nos. 87555 (July 6, 1977) and 88676 (April 4, 1978),
 ordered Hal Simmons Trucking Co. (Simmons) to collect \$14,046.08 in
 undercharges from the captioned shipper respondents and to pay a fine
 to the Commission in the amount of such undercharges by May 15, 1978.
 To date, \$7,494.52 has been collected from six debtors and an equal
 amount paid on the undercharge fine. The remaining balance of
 \$6,551.36 due from Coastal Forest Products, Inc. (Coastal) is
 involved in Simmons' suit (Action No. 63693) filed April 3, 1978
 against Coastal in Superior Court, Humboldt County.

The instant petition contains alternative requests which
 are as follows: (1) The order in this matter should be further
 modified to allow Simmons to promptly pay the Commission such
 amounts as it collects from Coastal as long as Simmons diligently

pursues the prosecution of its action. (2) In the alternative, an extension of time should be granted for payment of the fine until a date no less than sixty days from the date of the Commission's order on this petition.

The Transportation Division has no objection to an extension of time for payment of the balance of the remaining fine. We find that Simmons' request is reasonable and should be granted.

IT IS ORDERED that:

1. Ordering Paragraph 2 of Decision No. 87253, as modified by Decisions Nos. 87555 and 88676, is further modified to provide that the fine specified therein shall be paid in full within thirty days after the court has issued a final determination in the matter of Hal Simmons Trucking Co. vs. Coastal Forest Products, Inc., Humboldt County Superior Court, Action No. 63693.

2. In all other respects, Decision No. 87253 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 19th day of SEPTEMBER, 1978.

President
William J. Quon
Vernon L. Sturgeon
Richard C. Howell
Paul J. DeBri
Commissioners

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