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Decision No. 91449 MAR 18 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
own motion into the operations,)
rates, and practices of Aldo J.)
Lazzarini, dba American Van Lines,)
a sole proprietorship.)

OII No. 27

ORDER EXTENDING TIME

By Decision No. 90846 dated September 25, 1979, Aldo J. Lazzarini (Lazzarini), doing business as American Van Lines, was directed to: (1) pay refunds to household goods shippers in the total amount of \$1,641.42; (2) pay penalties to the Commission in the total amount of \$749.25; and (3) pay a punitive fine in the amount of \$250. The decision provided that all payments should be made by November 26, 1979. The punitive fine has been paid. The refunds and penalties have not been paid.

By letter dated November 19, 1979, Lazzarini seeks an extension of time to pay the refunds and penalties. Specifically, he requests authority to pay one-half of the refunds by March 15, 1980 and the remainder by June 15, 1980, and to pay the penalty by September 15, 1980. The letter states that Lazzarini is experiencing a cash flow problem and because of this will most likely not be in a position to make the payments until the dates stated, but that if this condition should improve, the payments would be made sooner. The Commission staff has advised that: (1) it has reviewed the matter with Lazzarini; (2) his current cash flow problem has resulted from a change in the method he is receiving payments from a carrier for whom he acts as agent; and (3) staff has no objection to the requested payment extensions.

We find that Lazzarini's request for an extension of time to make the payments in issue is reasonable, and we conclude that it should be granted. Because of the immediate need for the requested relief, the order which follows will be made effective immediately.

IT IS ORDERED that:

1. The time within which Aldo J. Lazzarini shall pay the refunds and penalties specified in Ordering Paragraph 2 of Decision No. 90846 is extended as follows:

- a. One-half of the refunds to shippers shall be paid on or before March 15, 1980, and the balance thereof shall be paid on or before June 15, 1980.
- b. The penalties shall be paid to the Commission on or before September 15, 1980.

2. In all other respects, Decision No. 90846 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated MAR 18 1980, at San Francisco, California.

Joh E. Dwyer
President

Dennis L. Altman

Robert W. Hall

Ronald J. Lewis
Commissioners

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