

ORIGINAL

Decision 93549 SEP 15 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's )  
 own motion into the operations, )  
 rates and practices of Maurice E. )  
 Whitchurch, Sr., dba WHITCHURCH & )  
 SON TRANSPORTATION, a sole )  
 proprietorship; Loren E. Edsall; )  
 Carl L. Harr, dba Harr Trucking, )  
 a sole proprietorship; Maurice E. )  
 Whitchurch, Jr., dba M&M )  
 Transportation, a sole proprietor- )  
 ship; and Dubug Number 7, Inc., )  
 dba Wood Ply Forest Products, dba )  
 Payless Building Supply, a )  
 California corporation. )

OII 64  
(Filed March 31, 1981)

ORDER MODIFYING DECISION 92202

Decision (D.) 92202 directed respondent Maurice E. Whitchurch, Sr. (Whitchurch), to collect and pay an undercharge fine of \$7,005.36 and to pay a punitive fine of \$2,500. The undercharge fine was ordered to be paid in a lump sum before a specified date. Whitchurch requests that he be allowed to pay the undercharge fine in installments of \$1,000 per month because of the inability of the involved shipper to pay the undercharges at a faster rate. To date, Whitchurch has shown his good faith by making monthly installment payments of \$1,000 per month to be applied against the undercharge fine. The Transportation Division staff supports Whitchurch's request. Therefore,

IT IS ORDERED that D.92202 is modified by adding Ordering Paragraph 7 to that decision to read as follows:

"7. Maurice E. Witchurch, Sr., may elect to pay the fine of \$7,005.36 levied in Ordering Paragraph 2 in consecutive monthly installments of \$1,000 each, the first installment to be paid on or before the fortieth day after the effective date of this order and the remaining installments on or before the thirtieth day of each month thereafter until the fine is paid in full; provided, however, that if any installment payment is not paid when due, then the entire balance of the fine is due and owing."

This order becomes effective 30 days from today.

Dated SEP 15 1981, at San Francisco, California.

John E. Bryan  
President  
Richard D. ...  
Edward M. ...  
...  
...  
Commissioners