

ORIGINAL

Decision No. 12943

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of BROWN-ELY CO. CONTRACTORS for)	
exemption from the provisions of)	Application No. 30330
General Order No. 84B in handling)	
C.O.D. shipments for Hutchinson Co.)	

OPINION AND ORDER

Brown-Ely Co. Contractors, a corporation, is a highway carrier. Under the terms of General Order No. 84B, it may not handle any C.O.D. shipment unless and until a surety bond of not less than \$2,000 is provided and filed with the Commission. It seeks exemption from this requirement in connection with transportation for Hutchinson Co.

The verified application shows that Brown-Ely is engaged in transporting rock, sand, asphalt plant mix and other materials for Hutchinson; that Forrest E. Brown owns all of the stock of both corporations; and that the C.O.D. moneys involved approximate \$250 per month. The application includes a written statement from the secretary of Hutchinson Co. to the effect that under the circumstances a surety bond is not required by that company.

It appears that this is a matter in which a public hearing is not necessary, and that the granting of the sought exemption is justified. Because the ownership of the companies or the conditions under which the C.O.D. service in question is performed may change at any time, the exemption will be limited to a one-year period and made subject to such earlier cancellation, change or extension as circumstances may require.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Brown-Ely Co. Contractors be and it is hereby authorized to handle C.O.D. shipments for Hutchinson Co. without providing and filing the surety bond required by General Order No. 84B; that this authority will expire one (1) year after the effective date of this order, unless sooner canceled, changed or extended by order of the Commission; and that, in other respects, the rules and regulations set forth in General Order No. 84B shall govern the C.O.D. services involved in this proceeding.

This order shall become effective twenty (20) days after the date hereof.

Dated at Los Angeles, California, this 1st day of June, 1949.

R. J. [Signature]
Earl H. [Signature]
Harold P. [Signature]
Fenneth [Signature]
Commissioners