

Decision No. 43983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)	
into the rates, rules, regulations,)	
charges, allowances and practices)	Case No. 4808
of all common carriers, highway)	
carriers and city carriers relating)	
to the transportation of property.)	

SUPPLEMENTAL OPINION AND ORDER

Under the provisions of General Order No. 84C various classes of carriers electing to handle C.O.D. (collect on delivery) shipments must remit all C.O.D. moneys within ten days, must file a performance bond in a sum of not less than \$2,000, and must comply with other related provisions of the general order.

Southern Pacific Company and Pacific Motor Trucking Company, by petition, now seek modification of the general order to exclude from its requirements all city carriers regularly engaged in performing pickup and delivery service for railroads, express corporations, freight forwarders, and highway common carriers. The verified petition shows that such city carriers handle C.O.D. shipments only as the agents of the common carriers; that the city carriers do not handle C.O.D. shipments for or on behalf of the consignors or consignees or for their own account as city carriers; and that the common carriers, under their tariffs on file with the Commission, are responsible to the consignors for the collection and remittance of all C.O.D. moneys.

The requirements of General Order No. 84C were established as a measure of protection to the shipping public in entrusting the handling of C.O.D. moneys to for-hire carriers. Under the circumstances set forth by petitioners it is evident that the required

protection will be afforded through the common carriers.

It appears that this is a matter in which a public hearing is not necessary and that the petition should be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that General Order No. 84C, as adopted on October 25, 1949, by Decision No. 43441 in Case No. 5129, be and it is hereby made inapplicable to city carriers in so far as they are engaged in operating within lawfully established pickup and delivery limits as an agent of a common carrier (as defined in the Public Utilities Act) in the performance for such carrier of transfer, pickup or delivery services provided for in the lawfully published tariffs of such carrier.

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

Dated at San Francisco, California, this 28th day of March, 1950.

R. J. [Signature]
Justice F. Quinn
Chas. F. [Signature]
Harold P. [Signature]

 Commissioners

Commissioner Kenneth Potter, being necessarily absent, did not participate in the disposition of this proceeding.