

ORIGINAL

Decision No. 44064

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of W. A. Murphy for exemption)
from the bond filing provisions)
of General Order 84C.)

Application No. 31127

OPINION AND ORDER

Applicant is engaged in transporting property under the authority of radial highway common carrier and highway contract carrier permits issued by this Commission. Under the provisions of General Order No. 84C he may not handle C.O.D. (collect on delivery) shipments until he provides a surety bond of not less than \$2,000 and files such a bond with the Commission. He seeks exemption from these requirements in connection with shipments transported for The Hercules Powder Co. That company has stated in writing that it does not consider the bonding of the applicant necessary in connection with its C.O.D. shipments. Applicant does not propose to handle C.O.D. shipments for any other shipper.

The bonding provisions were established primarily for the benefit of shippers. Since the shipper involved herein has voluntarily waived that protection, it appears that the sought exemption is justified. A public hearing is not necessary. Attention is called to the fact that the exemption herein granted extends only to shipments transported for The Hercules Powder Co. Should applicant desire to handle C.O.D. shipments for anyone else, all outstanding requirements of the Commission's orders and of the statutes must be met.

Because 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 W. A. Murphy be and he is hereby authorized to handle C.O.D. shipments for The Hercules Powder Co. without providing and filing the surety bond required by General Order No. 84C; 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. 84C 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 San Francisco, California, this 18th day of April, 1950.

R. Z. [Signature]
Justin F. Gaeves
[Signature]
Harold P. Huls
[Signature]
Commissioners