

ORIGINAL

Decision No. 44217

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of James R. Welsh for exemption)
from the bond filing provisions)
of General Order 84C.)

Application No. 31383

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. 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 Montgomery Ward & Co. Montgomery Ward's regional traffic manager has stated in writing that the bonding of applicant is not necessary in connection with its C.O.D. consignments. Applicant does not propose to handle C.O.D. shipments for any other shipper.

Since the protection afforded by the bonding provisions of General Order No. 84C has been voluntarily waived by the shipper involved, it appears that the sought exemption is justified. A public hearing is not necessary. The exemption herein granted extends only to shipments transported for Montgomery Ward & 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 James R. Welsh be and he is hereby authorized to handle C.O.D. shipments for Montgomery Ward & 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 23rd day of May, 1950.

R. E. Anderson
James F. Colman
Frank F. Lowell
Harold P. Hills

Commissioners

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