

Decision No. 44304

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Herbert D. Nogle, V. Vernon Nogle, )  
Archie E. Nogle and Herbert W. Nogle, ) Application No. 31461  
doing business as H. D. Nogle & Sons, )  
for exemption from the bond filing )  
provisions of General Order 84C. )

OPINION AND ORDER

Applicants hold radial highway common carrier, highway contract carrier and city carrier permits. Under the provisions of General Order No. 84C they may not handle C.O.D. (collect on delivery) shipments until they provide a surety bond of not less than \$2,000 and file such a bond with the Commission. They seek 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 applicants is not necessary in connection with its C.O.D. consignments. Applicants do 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 applicants desire to handle other C.O.D. shipments, all outstanding requirements 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 Herbert D. Nogle, V. Vernon Nogle, Archie E. Nogle, and Herbert W. Nogle be and they are 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 Los Angeles, California, this 13<sup>th</sup> day of June, 1950.

R. Z. Anderson  
Justus F. Chalmer  
Edward F. Dwyer  
Harold H. Hulse  
Kenneth L. Potter  
Commissioners