

Decision No. 45702**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 CHARLES H. ADAMS and others similarly )  
 situated, for exemption from the ) Application No. 31997  
 provisions of General Order 84B. )

Appearances

H. J. Bischoff and John Hughes, for applicants and  
 for Southern California Freight Lines.

O P I N I O N

Applicants herein are highway carriers operating under the authority of permits issued by this Commission. They are engaged in transporting property for Southern California Freight Lines, a highway common and a highway contract carrier. In performing such transportation services they make delivery of C.O.D. (collect on delivery) shipments. Under the provisions of General Order No. 84B, as amended, they are required to file with the Commission bonds of not less than \$2,000 as sureties for the remission of C.O.D. collections. They seek exemption from these bonding requirements.

Public hearing of the matters involved was held before Examiner Abernathy at Los Angeles on April 20, 1951. Evidence was submitted by Charles H. Adams, one of the applicants, and by a representative of Southern California Freight Lines.

Applicant Adams testified that he serves Southern California Freight Lines under contract and has so served that carrier

exclusively for about five years.<sup>1</sup> His services consist of picking up shipments in Los Angeles and delivering them along a regular route between Los Angeles and Riverside. He said that the operations of other of the applicants in this proceeding are conducted in a manner generally similar to his.<sup>2</sup>

The witness for Southern California Freight Lines testified that he is acquainted with all of the applicants in this proceeding and that they all operate under exclusive contracts with his company. According to the witness, applicants serve his company as agents; they have no direct contact with shippers except as is necessarily incidental to the transportation of freight which has been tendered to Southern California Freight Lines for shipment. He declared that his company accepts full responsibility for the property transported in its behalf by applicants. He testified further that shippers tendering C.O.D. shipments to Southern California Freight Lines are protected by a surety bond which his company has on file with the Commission in conformity with the provisions of General Order No. 84B. Cargo insurance, public liability and property damage insurance carried by Southern California Freight Lines for itself and for its agent carriers also provide protection for shippers and other members of the public.

The bonding provisions of General Order No. 84B were established primarily for the benefit of shippers. Since it is

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<sup>1</sup> The witness submitted as an exhibit a statement signed by 39 of the other applicants authorizing him to appear in their behalf also. The total number of the applicants herein is 56.

<sup>2</sup> Whether or not the applicants are properly authorized to transport property over regular routes is a matter not in issue in this proceeding. Nothing in this opinion nor in the order which follows is to be construed as determinative of operative requirements or authorities.

clear that the shippers of the property handled by applicants are protected by the surety bond filed by Southern California Freight Lines, it appears that bonding of applicants is not necessary. The Commission is of the opinion and finds that the sought exemptions are justified. The application will be granted.<sup>3</sup>

Because the conditions under which the authority herein granted may change at any time, the exemptions will be limited to a one-year period and made subject to an earlier cancellation, change, or extension as circumstances may require. The authority will extend only to shipments handled by applicants for Southern California Freight Lines. Should applicants desire to handle C.O.D. shipments for anyone else, they will be expected to comply with all of the provisions of General Order No. 84C.

It appears from the Commission's records that four of the applicants in this proceeding have discontinued operations since the application was filed on December 21, 1950. The authority which is granted by the order which follows will apply only to the applicants having operating permits in effect at the time of the hearing herein.

O R D E R

Public hearing having been held in the above proceeding, and based upon the conclusions and findings in the preceding opinion

IT IS HEREBY ORDERED that the applicants named in Appendix "A" attached hereto, and by this reference made a part hereof, be and they are hereby authorized to transport C.O.D.

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<sup>3</sup> On December 1, 1949, General Order No. 84B was superseded by General Order No. 84C of similar effect. The order herein will authorize exemption from the bonding requirements of General Order No. 84C.

APPENDIX "A" TO DECISION NO. 45702

Naming carriers exempted from the bonding requirements of General Order No. 84C in connection with property transported by said carriers when operating as agents for Southern California Freight Lines.

Adams, Charles Hubert

662 $\frac{1}{2}$  So. Fetterly, Los Angeles

Allen Company, Lawrence K. Allen, Glenn W. Allen,  
Raymond R. Allen, and Leland J. Johnston, doing  
business as,  
628 West Ninth Street, San Francisco

Alvarez, Alfred

3328 Garnet Street, Los Angeles

Armstrong, Robert L.

2231 W. 31st Street, Los Angeles

Christy, John R.

911 Harding, San Fernando

Comstock, John E.

641 W. Seaside, Long Beach

Dickson, Floyd

230 N. Irena, Redondo Beach

Elardo, Sam

152 $\frac{1}{2}$  North Avenue 22, Los Angeles

Ervin, Alonzo

323 $\frac{1}{2}$  So. Gate Avenue, Alhambra

Fernandez, Raymond P.

1568 W. 46th St., Los Angeles

Ferreura, James

1051 E. Klingerman, El Monte

Fields, Tommie, Mrs.

10663 Haddon Street, Pacoima

Forbes, Claude

988 $\frac{1}{2}$  So. Mariposa, Los Angeles

Froemke, Walter

2635 Lime Ave., Long Beach

Frye, Warren L.

6211 $\frac{1}{2}$  Tipton Way, Los Angeles

Fuentes, Carlos

965 Marietta Street, Los Angeles

Gonzales, Fred F.

3543 E. 6th Street, Los Angeles

Gootman, Samuel

1139 1/3 So. Wooster, Los Angeles

Hanson, Russell  
423 Hondo Street, Downey

Hook & Warren  
866 Acacia Street, Fontana

Keeway Truck Co., V. D. Keesey, C. F. Keesey and  
H. Keesey doing business as,  
2711 4th Street, Santa Monica

Knebel, Charles  
124 So. Flower St., Los Angeles

Krasnow, Jennie  
628 No. Hobart, Los Angeles

Krasno, Lee  
3656 Trace St., Los Angeles

Kravitz, Louis  
4201½ Mandalay Drive, Los Angeles

Leonard, William  
1336 E. 104th St., Los Angeles

Liuzza, Peter  
442 E. 98th St., Los Angeles

Lopez, Edmund  
1130 W. 3rd St., Pomona

Marinez, Rudy  
1153 So. Augusta Ave., Los Angeles

McKinney, Edward  
10727 Mona Boulevard, Los Angeles

McMullin, Paul  
2630 Hillcrest Drive, Los Angeles

Messer, Dalwin  
823 Magnolia, Long Beach

Murphy, Wm. W.  
4477 Banner Drive, Long Beach

Olivas, Ignacio  
15307 So. Sylvanwood Ave., Norwalk

Orloff, Peter M.  
8763 John Avenue, Los Angeles

Recendez, Frank  
3467 Estrada St., Los Angeles

Roach, J. D.  
1730½ West 59th Street, Los Angeles

Roe, John William  
1558 No. Kingsley Drive, Los Angeles

Samarin, William  
6303 King Avenue, Bell

Sammy's Truck Service, Sam Anzalone doing business as,  
5711 York Boulevard, Los Angeles

Schmidt, W. E.  
11120 South Ruthellen, Los Angeles

Sergiadis, George  
903 No. Orchard Drive, Burbank

Shaw, John  
731 16th Street, Hermosa Beach

Shield, S. E.  
4116 Holly Knoll Drive, Los Angeles

Stevens, Amos A.  
1743 N. California, Burbank

Tikker, Ralph  
947 Superba Avenue, Venice

True, John Melvin  
1337 W. 12th Place, Los Angeles

Wagner, Everett K.  
2424 Raymond, Los Angeles

Wallace, Owen  
352½ E. 236th St., Wilmington

Weisenberg, Edward  
3970 Harney Street, San Diego

Werker, Neal  
10433 Beach, Bellflower

Wolf, Irving Max  
1314 Morrow Place, Los Angeles

(End of Appendix)

shipments as agents for Southern California Freight Lines 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 all 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 15<sup>th</sup> day of May, 1951.

*R. J. [Signature]*  
*Justice J. Calver*  
*Harold T. Hale*  
*[Signature]*

Commissioners