

Decision No. 48912

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
Patrick Higuera, doing business )	
under the name of Arrow Delivery & )	
Transfer Co., for exemption from )	Application No. 34585
the provisions of General Order )	
No. 84C regarding C.O.D. Bond. )	

OPINION AND ORDER

Applicant holds city and highway 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 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 San Jose Home Furnishers. This shipper has informed the Commission in writing that the bonding of applicant is not necessary in connection with its C.O.D. consignments.

The bonding provisions were established primarily for the protection of shippers. Since that protection has been voluntarily waived by the shipper involved, 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 San Jose Home Furnishers. Should applicant desire to handle C.O.D. shipments for anyone else, 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 Patrick Higuera, doing business as Arrow Delivery & Transfer Co., be and he is hereby authorized to handle C.O.D. shipments for San Jose Home Furnishers without providing and filing the bond required by General Order No. 84C; that this authority shall expire one 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 days after the date hereof.

Dated at San Francisco, California, this 4<sup>th</sup> day of August, 1953.

R. Z. [Signature]  
President

Justin F. Casner  
Harold A. Kula

[Signature]  
[Signature]  
Commissioners