

Decision No. 49177

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Elton H. Mattoon dba Humboldt)
Transportation Company for exemp-)
tion from provisions of the)
General Order 84C regarding C.O.D.)
Bond.)

Application No. 34658

ORDER OF DISMISSAL

Applicant is a highway common carrier. He seeks exemption from the bond filing requirements of General Order No. 84-C in connection with the handling of C.O.D. (collect on delivery) shipments.

The bond filing requirements were established as a protection for shippers using C.O.D. service. In certain instances contract carriers have been granted exemption from these requirements in connection with transportation for specified shippers. Such exemptions have been authorized only where the shippers involved have voluntarily waived the protection afforded by the general order. No general exemption has been granted.

Under General Order No. 84-C, carriers may elect whether or not they will provide C.O.D. service. With respect to those carriers choosing to provide that service for the public generally, shippers are entitled to the protection afforded by the bonding requirements. No general exemption has been shown to be justified in the case at hand. Applicant should file the required bond or, if he chooses, withdraw from C.O.D. service and publish in his tariff notice of that withdrawal. Such action is authorized under General Order No. 84-C.

In the circumstances, the application will be dismissed.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the above-entitled application be
and it is hereby dismissed.

Dated at San Francisco, California, this 6th day of
October, 1953.

A. Z. Zimmerman
President
Justus D. Coe
Samuel P. Potter
John E. McMillan

Commissioners