

Decision No. 50541

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
Martin J. Toohy and Glen R. Wyly, )	
dba Glen-Mar Express Co., for )	Application No. 35534
exemption from the provisions of )	
General Order No. 84C regarding )	
C.O.D. Bond. )	

OPINION AND ORDER

Applicants hold 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 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 Associated Stationers, Beier and Gunderson, Brown Furniture, Canier Home Furnishings, Art Duffin Furniture Shop, Laird Stationers, Mendell's Office Furniture and Smith Brothers. The shippers have informed the Commission in writing that the bonding of applicants is not necessary in connection with their C.O.D. consignments.

The bonding provisions were established primarily for the protection of shippers. Since that protection has been voluntarily waived by the shippers 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 the designated shippers. Should applicants 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, 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 Martin J. Toohey and Glen R. Wyly, dba Glen-Mar Express Company, be and they are hereby authorized to handle C.O.D. shipments for Associated Stationers, Beier & Gunderson, Brown Furniture, Canier Home Furnishings, Art Duffin Furniture Shop, Laird Stationers, Mendell's Office Furniture, and Smith Brothers 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 14<sup>th</sup> day of September, 1954.

Robert E. Mitchell  
President  
Justus J. Calmes  
Wenworth Totten  
Gene Deegan

Commissioners