

ORIGINAL

Decision No. 57487

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Ben Miller and Esther Miller, DBA)
B & M Moving Expressing Service, for) Application No. 40474
exemption from the provision of)
General Order 84 regarding C.O.D.)
Bond.)

OPINION AND ORDER

Applicants hold radial highway common carrier and city carrier permits. Under the provisions of General Order No. 84-C, 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. Applicants seek exemption from these requirements in connection with shipments transported for 30th and San Pablo Furniture Warehouse Store. The shipper is located in Oakland. It 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 30th and San Pablo Furniture Warehouse Store, located in Oakland. 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 ORDERED that Ben Miller and Esther Miller, doing business as B & M Moving Expressing Service are hereby authorized to handle C.O.D. shipments for 30th and San Pablo Furniture Warehouse Store located in Oakland without providing and filing the bond required by General Order No. 84-C; 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. 84-C 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 21st day of October, 1958.

E. Lynn Fox
 President

Robert C. Lytle

Robert C. Lytle

Thomas J. Deener
 Commissioners