

Decision No. 58201**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Brown-Ely Co. Contractors for exemp- )  
 tion from the provisions of General ) Application No. 40870  
 Order No. 84C in handling C.O.D. )  
 shipments for Hutchinson Co. )

OPINION AND ORDER

Applicant holds radial highway common carrier, petroleum contract carrier and city carrier permits. It is authorized to handle C.O.D. (collect on delivery) shipments for Hutchinson Co., a corporation located in El Cerrito, without securing and filing a bond with the Commission as required by General Order No. 84C (Decision No. 56622, dated April 29, 1958, in Application No. 39989). This authority is scheduled to expire April 29, 1959.

Applicant again seeks to be relieved of the C.O.D. bonding requirements. The application is accompanied by a letter addressed to the Commission from the president of Hutchinson Co., waiving the protection granted by General Order No. 84C insofar as C.O.D. deliveries by Brown-Ely are concerned.

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.

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.

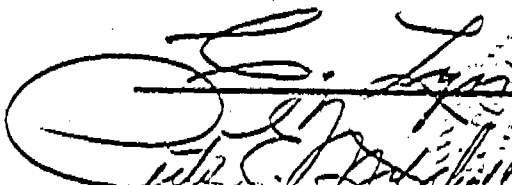
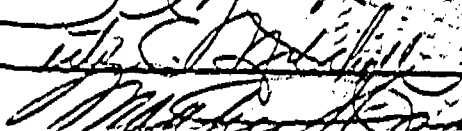

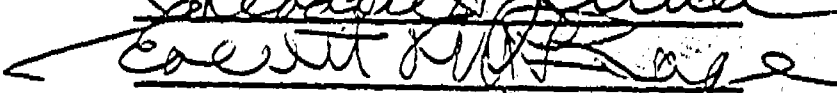
Attention is called to the fact that the exemption herein granted extends only to shipments transported for Hutchinson Co. Should the applicant desire to handle C.O.D. shipments for anyone else, all outstanding requirements must be met.

Therefore, good cause appearing,

IT IS ORDERED that Brown-Ely Co. Contractors is hereby authorized to handle C.O.D. shipments for Hutchinson Co., located in El Cerrito, without providing and filing the bond required by General Order No. 84C; that this authority shall expire April 29, 1960, 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 31st day of March, 1959.

  
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President  
  
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Commissioners