

**ORIGINAL**Decision No. 58203

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

In the Matter of the Application of )  
 ARNOLD D. CHERRY, STANLEY CHERRY AND )  
 KENNETH CHERRY, copartners doing )  
 business as ARNOLD D. CHERRY & SON, ) Application No. 40893  
 for exemption from the provisions of )  
 General Order 84-C regarding C.O.D. )  
 Bond. )

OPINION AND ORDER

Applicants hold radial highway common carrier, highway contract carrier and city carrier permits. Decision No. 56577, dated April 22, 1958, in Application No. 39971, authorized them to handle C.O.D. (collect on delivery) shipments for McKesson & Robbins, Inc., located in Oakland, without securing and filing a bond with the Commission as required by General Order No. 84C. This authority is scheduled to expire April 22, 1959.

Applicants seek authority to continue to deviate from the C.O.D. bonding requirements for a further one-year period. The application is accompanied by a letter addressed to the Commission from the division manager of McKesson & Robbins, Inc. The letter states that the shipper approves the filing of the instant application for an exemption from General Order No. 84C.

The bonding provisions were established primarily for the protection of shippers. Since the protection has been voluntarily waived by the shipper, 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 McKesson & Robbins, Inc. Should applicants desire to handle C.O.D. shipments for anyone else, all outstanding requirements must be met.

Therefore, good cause appearing,

IT IS ORDERED that Arnold D. Cherry, Stanley Cherry and Kenneth Cherry, copartners, doing business as Arnold D. Cherry & Son, are hereby authorized to handle C.O.D. shipments for McKesson & Robbins, Inc., located in Oakland, without providing and filing the bond required by General Order No. 84C; that this authority shall expire April 22, 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.

[Signature]  
 President

[Signature]

[Signature]

[Signature]  
 Commissioners