

**ORIGINAL**

Decision No. 59147

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 exemption )  
from the provision of General Order 84C )  
regarding C.O.D. Bond. )

Application No. 41486

OPINION AND ORDER

Applicants hold radial highway common carrier and city carrier permits. By Decision No. 57487 of October 21, 1958, in Application No. 40474, they were authorized to handle C.O.D. shipments for 30th & San Pablo Furniture Warehouse Store without securing and filing a bond with the Commission as required by General Order No. 84C. This authority is scheduled to expire November 10, 1959.

Applicants seek authority to continue to deviate from the C.O.D. bonding requirements. The application is accompanied by a letter from the shipper stating that the bonding of applicants is not necessary in connection with C.O.D. deliveries from its store.

The bonding provisions were established primarily for the protection of shippers. Since that protection has been voluntarily waived by the shipper involved in this application, 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 above-named shipper 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. 84C; that this authority shall expire November 10, 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 13th day of October, 1959.

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President  
*W. J. ...*  
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*E. ...*  
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*Therese ...*  
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Commissioners