

60678

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Francis C. O'Neill, doing business as)
 FAIRWAY MERCHANTS DELIVERY SERVICE,) Application No. 42544
 for exemption from the provisions of) (As Amended)
 General Order 84C regarding C.O.D.)
 Bond.)

OPINION AND ORDER

Applicant holds radial highway common carrier and city carrier permits. By Decision No. 58899, dated August 18, 1959, in Application No. 41349, he was authorized to handle C.O.D. (collect on delivery) shipments for specified shippers in Hayward without securing and filing with the Commission the bond otherwise required by General Order No. 84C. This authority is scheduled to expire September 7, 1960.

By this application, filed August 5, 1960, and amendment, filed August 31, 1960, applicant asks that the authorized waiver of the bonding requirements be continued. The affected shippers support the application.

The bonding provisions were established primarily for the protection of shippers. Since that protection has been voluntarily waived by the shippers 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 the shipments transported for the specified shippers in Hayward. Should applicant 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 Francis C. O'Neill, doing business as Fairway Merchants Delivery Service, is hereby authorized to handle C.O.D. shipments for Acme Drug Store, Fairway Pharmacy, Owl Rexall Drugs, Pay Less Drug Store and E & W Drugs located in Hayward without providing and filing the bond required by General Order No. 84C; that this authority shall expire September 7, 1961, 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 C.O.D. services involved in this proceeding.

The effective date of this order shall be September 7, 1960.

Dated at San Francisco, California, this 1st day of September, 1960.

[Signature]
 President.

[Signature]

[Signature]

[Signature]

Commissioners