

A. 43021 - bjc

**ORIGINAL**

Decision No. 61427

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application )  
of Aristeo Diaz Vargas for exemp- )  
tion from the provision of General ) Application No. 43021  
Order 84C regarding C.O.D. Bond. )

OPINION AND ORDER

Applicant holds a highway contract carrier permit. Under the provisions of General Order No. 84C, he may not handle C.O.D. shipments until a bond of not less than \$2,000 is provided and such a bond is on file with the Commission. By this application, filed December 30, 1960, he seeks exemption from these requirements in connection with shipments transported for the shipper hereinafter designated. The application is accompanied by a letter from the shipper stating, in effect, 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 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 specified shipper at the specified location. 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

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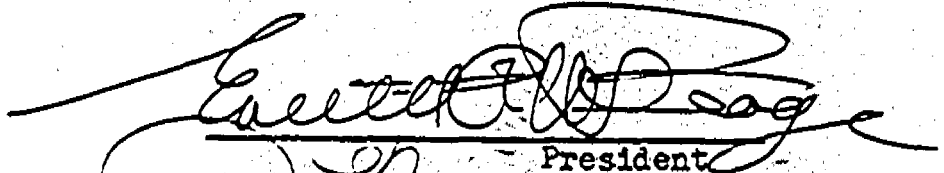
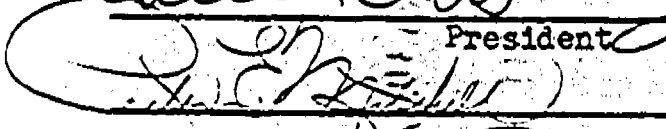
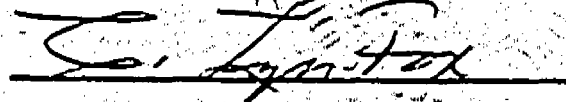
question is performed may change, the exemption will be limited to a one-year period and made subject to such earlier cancellation, change or extension as circumstances may require.

Therefore, good cause appearing,

IT IS ORDERED that Aristeo Diaz Vargas is hereby authorized to handle C.O.D. shipments for Downey Fertilizer Company, located in Downey, without providing and filing the bond required by General Order No. 84C; 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. 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 3<sup>d</sup> day of February, 1961.

  
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President  
  
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Commissioners