

Decision No. 61495

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
Augustus A. Mendillo of Mission De-)
livery Service, 709A State St.,)
Santa Barbara, California, For exemp-) Application No. 43080
tion from the provisions of General)
Order No. 84-C re a C.O.D. Bond.)

OPINION AND ORDER

Applicants hold radial highway common carrier and city carrier permits.¹ Under the provisions of General Order No. 84C, they 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 January 18, 1961, they seek exemption from these requirements in connection with shipments transported for the shippers hereinafter designated. The application is accompanied by letters from the shippers stating, in effect, that they do not find it necessary for applicants to carry a surety bond to protect C.O.D. funds collected by applicants.

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 shipments transported for the specified shippers at the specified locations. Should applicants desire to handle C.O.D. shipments for anyone else, all outstanding requirements must be met.

¹The permits here involved were issued to Augustus A. and Margaret E. Mendillo, a co-partnership.

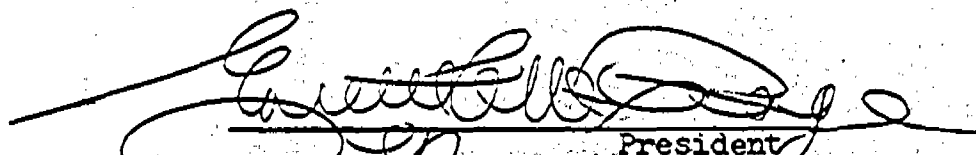
Because the conditions under which the C.O.D. service in question is performed may change, the exemption will be limited to a one-year period and made subject to such earlier cancellation, change or extension as circumstances may require.


Therefore, good cause appearing,

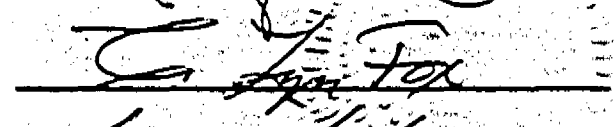
IT IS ORDERED that Augustus A. and Margaret E. Mendillo, co-partners, are hereby authorized to handle C.O.D. shipments for Federal Drug Co., Malott's Pharmacy, Gutierrez Drug Co., Victoria Pharmacy and Prescription Pharmacy, Inc., located in Santa Barbara, without providing and filing the bond required 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 C.O.D. services involved in this proceeding.

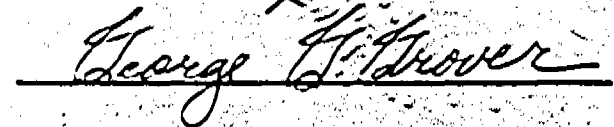
This order shall become effective twenty days after the date hereof.

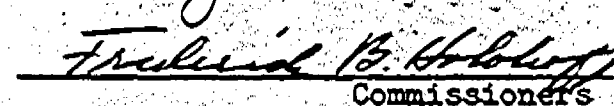
Dated at San Francisco, California, this 14th day of February, 1961.



President








Commissioners