

Decision No. 61637

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
Ernest F. Schwertscharf of L. D. S.)	
Truck Lines, 95 N. Livermore Ave.,)	
Livermore, California, for exemption)	Application No. 43147
from the provisions of General)	
Order 84C Re a C.O.D. Bond.)	

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. Under the provisions of General Order No. 84C, carriers 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 February 9, 1961, he seeks exemption from these requirements in connection with shipments transported for the shippers hereinafter designated. The application is accompanied by letters from the shippers stating that the carrier need not be bonded in connection with C.O.D. deliveries performed for them.

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, the Commission finds 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. 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 Ernest F. Schwertscharf, doing business as L.D.S. Truck Lines, is hereby authorized to handle C.O.D. shipments for Viale's Market, Duarte's Rexall Drugs - R. X. Owl Drugs and Thompson's Pharmacy, all located in Livermore, 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 7th day of March, 1961.

 President
[Signature]

George W. Hoover

Fredrick B. Hoff

 Commissioners