

Decision No. 62467

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of FRANCIS C. O'NEILL, doing busi-)
ness as FAIRWAY MERCHANTS DELIVERY)
SERVICE, for exemption from the) Application No. 43646
provisions of General Order No. 84-C)
regarding C.O.D. Bond.)

OPINION AND ORDER

Applicant holds radial highway common carrier and city carrier permits. By Decision No. 60678 dated September 1, 1960, in Application No. 42544, 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, 1961.

By this application, filed August 2, 1961, 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, 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.

Good cause appearing,

IT IS ORDERED that:

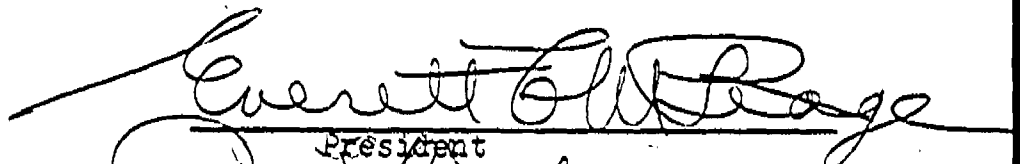
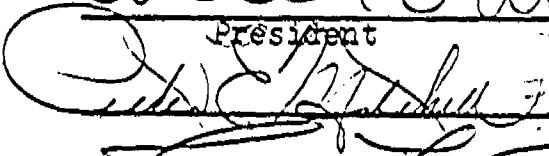
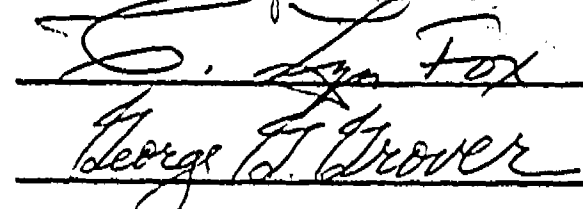

(1) Francis C. O'Neill, doing business as Fairway Merchants Delivery Service is hereby authorized to handle C.O.D. shipments for Acme Drug Store, Lee's Owl Rexall, Fairway Pharmacy, E. & W. Drug Store and Payless Drug Store No. 8 without providing and filing the bond required by General Order No. 84C.

(2) The authority herein granted shall, on and after September 7, 1961, supersede the authority granted by Decision No. 60678, and shall expire with September 7, 1962.

(3) 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, 1961.

Dated at San Francisco, California, this 27th day of August, 1961.


President

J. L. Fox

George F. Grover

Commissioners