

65479

Decision No. _____

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of)
 LOUDE ARIAS, RALPH ARIAS, JAUQUIN)
 BALIGAD, SAL De ANDA, KATSUICEI)
 FUJITA, HAROLD HIRATA, HIRO)
 IGARASHI, ANGEL REYES, MAX RITTER,)
 RUDOLPH RODRIGUEZ, A. L. ROGERS,)
 WALTER SMIT AND LEON THOMPSON for)
 an order under and pursuant to the)
 Highway Carriers Act of the State)
 of California exempting applicants)
 from the provisions of General)
 Order 84C as promulgated by)
 Decision 43441 under date of)
 October 25, 1949, Case No. 5129 as)
 to C.O.D. shipments for Kellogg)
 Supply Co., Inc. 23924 South)
 Figueroa Street, Wilmington, Los)
 Angeles County, California.)

Application No. 45369
(Filed April 19, 1963)

OPINION AND ORDER

Applicants hold radial highway common and highway contract carrier permits. By this application, they seek exemptions from the provisions of General Order No. 84-C under which carriers may not handle C.O.D. shipments until a bond of not less than \$2,000 is provided and filed with the Commission.¹ The sought exemptions would apply only in connection with shipments transported for the shipper hereinafter designated. Exhibit "A" of the application is a statement by the shipper stating that the acquisition of bonds by applicants is not required for the protection of the shipper.

The bonding provisions were established primarily for the protection of shippers. Since the protection of the bonding provisions has been voluntarily waived by the shipper involved in this

¹ By Decision No. 65244 dated April 16, 1963, in Case No. 7402, the Commission adopted General Order No. 84-D to become effective October 1, 1963, and to cancel and supersede General Order No. 84-C on the latter date. Both general orders contain C.O.D. bonding requirements.

application, the Commission finds that the sought exemptions are justified. A public hearing is not necessary.

Attention is called to the fact that the exemptions herein granted extend only to shipments transported for the specified shipper. Should applicants 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. services in question are performed may change, the exemptions will be limited to a one-year period.

Good cause appearing,

IT IS ORDERED that Louie Arias, Ralph Arias, Jauquin Baligad, Sal De Anda, Katsuichi Fujita, Harold Hirata, Hiro Igarashi, Angel Reyes, Max Ritter, Rudolph Rodriguez, A. L. Rogers, Walter Smit and Leon Thompson are hereby authorized to handle C.O.D. shipments for Kellogg Supply Co., Inc., without providing and filing the bonds required by General Order No. 84-C or General Order No. 84-D, as the case may be; that these authorities 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. 84-C or General Order No. 84-D, as the case may be, 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 28th day of May, 1963.

Paul E. Mitchell President
Paul E. Mitchell Acting President
Fredrick B. Hallock
William W. Bennett

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioners

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.