

ORIGINALDecision No. 66076

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of SIERRA DISTRIBUTING, LTD., a
corporation, to depart from the
provisions of General Order
No. 84-D, under the provisions
of the City Carriers' Act and
of the Highway Carriers' Act.

Application No. 45715
(Filed August 28, 1963)

OPINION AND ORDER

Applicant seeks authority, as a highway permit carrier, to depart from certain provisions of General Order No. 84-D in connection with transportation service performed on behalf of Procter & Gamble Distributing Company. Specifically, applicant seeks authority to make C.O.D. shipments part of split delivery shipments. Such arrangements are prohibited under paragraph 7(g) of General Order No. 84-D.^{1/}

Applicant transports products for Procter and Gamble Distributing Company (Procter & Gamble) between various points in California. The authority herein sought is limited to transportation performed for Procter & Gamble from said company's plant at Sacramento to its customers in California north of a line running easterly-westerly through King City and Fresno. It has performed this transportation for many years.

^{1/} General Order No. 84-D was adopted by Decision No. 65244, dated April 16, 1963 in Case No. 7402 and is scheduled to become effective October 1, 1963. Paragraph 7(g) of General Order No. 84-D provides that permit carriers, among others, shall not make a C.O.D. shipment part of a split delivery shipment.

Applicant alleges that in connection with the transportation herein involved it transports approximately 30 loads of products a day on behalf of Procter & Gamble; that some of such loads are straight shipments, while others are shipments containing components for split delivery. Applicant further alleges that among the split delivery shipments are components with respect to which Procter & Gamble instructs applicant to make collections on delivery; that this is a practice which has been in effect for many years; that Procter & Gamble has informed applicant that this practice is an essential element of the delivery of its products to some of its customers and serves the convenience of Procter & Gamble and some of its customers.

The relief herein sought from General Order No. 84-D is in connection with specific transportation performed by applicant under contract with a single shipper. In the limited circumstances involved herein, the Commission finds that the sought exemption is justified.

Because the conditions under which the service is performed may change at any time, the authority will be limited to a one-year period.

No objection to the granting of this application has been received. The California Trucking Association has advised the Commission that it has no objection to ex parte consideration. A public hearing is not necessary.

Good cause appearing,

IT IS ORDERED that Sierra Distributing, Ltd., may make C.O.D. shipments part of split delivery shipments handled by it as a highway contract carrier, a city carrier or a radial highway common carrier for Procter & Gamble Distributing Company from said company's factory at Sacramento to its customers located north of a line running easterly-westerly through King City and Fresno and ✓ 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.

The effective date of this order shall be October 1, 1963.

Dated at San Francisco, California, this 24th day of SEPTEMBER, 1963.

William M. Bunn
President

George T. Cover
Frederick B. Hallock

Commissioners