

Decision No. 67075

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)	
of Eileen Binam dba Eileen's)	
Delivery Service, for exemption)	Application No. 46210
from the provisions of General)	(Filed February 19, 1964)
Order No. 84-D regarding C.O.D.)	
Bond.)	

OPINION AND ORDER

Applicant holds radial highway common carrier and city carrier permits. By this application, she seeks limited exemption from certain requirements of General Order No. 84-D, under which no carrier may handle C.O.D. shipments unless and until it has filed a prescribed bond with the Commission. The sought exemption would apply only in connection with shipments transported for the shippers hereinafter designated. The application is accompanied by a statement signed by each of the shippers wherein the shipper waives the necessity for the C.O.D. bond.

General Order No. 84-D was superseded by General Order No. 84-E, effective February 1, 1964. As General Order No. 84-E makes no change in General Order No. 84-D which is material to the issues in this proceeding, the application will be considered as an amended application seeking relief from the bonding requirements of General Order No. 84-E.¹ The bonding provisions are set forth in ordering paragraphs numbered 2, 3, 4, 5 and 7(h) of General Order No. 84-E. Corresponding provisions are set forth in minimum rate tariffs of the Commission.

¹ General Order No. 84-E was adopted by the Commission by Decision No. 66552, dated December 27, 1963, in Case No. 7402.

The rules and requirements governing the transportation of C.O.D. shipments were established primarily for the protection of shippers. Since the bonding protection has been 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.

IT IS ORDERED that Eileen Binam, doing business as Eileen's Delivery Service, is hereby relieved from the requirements of Ordering Paragraphs 2, 3, 4, 5 and 7(h) of General Order No. 84-E and the corresponding provisions as set forth in minimum rate tariffs of the Commission in the handling of C.O.D. shipments for Westwood Prescriptionists, Wolff Drug Company, Steve's Pharmacy and M&M Drugs. This authority shall expire with April 26, 1965, unless sooner canceled, changed or extended by order of the Commission.

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

Dated at San Francisco, California, this 7th day of April, 1964.

William W. Bennett
President
George E. Grover
Frederick B. Halaloff
Commissioners