

**ORIGINAL**Decision No. 67118

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application  
of Jay W. Hughes, DBA as Hughes  
Express for exemption from the  
provision of General Order 84-C-  
Regarding COD Bond.

Application No. 46339  
(Filed March 31, 1964)

OPINION AND ORDER

Applicant holds radial highway common carrier, household goods carrier and city carrier permits. By this application, he seeks exemption 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. The sought exemption would apply only in connection with shipments transported for the shippers hereinafter designated.

General Order No. 84-C was superseded by General Order No. 84-D and the latter was superseded by General Order No. 84-E effective February 1, 1964.<sup>1/</sup> The latter general order contains bonding requirements and additional provisions governing the handling of C.O.D. shipments. The bonding provisions are set forth in ordering paragraphs 2, 3, 4, 5, and 7(h) of the general order. Corresponding provisions are set forth in minimum rate tariffs of the Commission. Inasmuch as General Order No. 84-C is no longer in effect, the application will be considered as an amended application seeking relief from the bonding requirements of General Order No. 84-E.

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

The application is accompanied by letters from the shippers stating the bonding of applicant is not necessary in connection with their C.O.D. consignments.

The bonding provisions were established primarily for the protection of shippers. Since the protection of the bonding provisions 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.

Applicant has been authorized to handle C.O.D. shipments for many of the shippers involved in this application without providing a C.O.D. bond under authority which expired April 15, 1964. In order to minimize the lapse in the authority, this order will be made effective on the date hereof.

Good cause appearing,

IT IS ORDERED that Jay W. Hughes (doing business as Hughes Express) 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 set forth in minimum rate tariffs of the Commission in the handling of C.O.D. shipments for Boxer's Furniture Co., C & H Upholstery Co., S. Beressi Custom Upholstery, Gordon & Hill Furniture Co., McRoskey Airflex Mattress Co., Mission

Carpet & Furniture Co., Reinert & Riley Furniture, Reiter's Furniture Co., Riviera Sofa Bed Co., Stanley Rosenthal & Co., Stern's Furniture Co. and Vertex Electric Appliance. This authority shall expire one year after the effective date of this order, unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 21st day of April, 1964.

William W. Beaudt  
President  
John C. Field  
Wesley W. Loye  
George L. Trover  
Frederick B. Holdcroft  
Commissioners