

ORIGINAL

Decision No. 67246

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of)
)
RAILWAY EXPRESS AGENCY, INCORPORATED,)
)
 for exemption from the requirements)
 of General Order No. 84-D, Sections)
 2 and 7(a).)

Application No. 45473

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 65912 dated August 20, 1963, in this proceeding, Railway Express Agency, Incorporated, was authorized to handle C.O.D. shipments without providing and filing the bond required by General Order No. 84-D and without maintaining a separate bank account for holding C.O.D. moneys not remitted five days or more after delivery.¹

By Decision No. 66552 dated December 27, 1963, in Case No. 7402, the Commission adopted General Order No. 84-E effective February 1, 1964, and concurrently canceled General Order No. 84-D. The latter general order was canceled only for the purpose of subjecting two new classes of carriers to certain rules concerning the collection and accounting of C.O.D. moneys.² In all other respects, both general orders are identical.

By letter dated March 9, 1964, counsel for Railway Express Agency, Incorporated, requests that the exemption authorized said

¹ General Order No. 84-D was established by the Commission to become effective October 1, 1963, by Decision No. 65244 dated April 16, 1963, in Case No. 7402.

² Statutes 1963, Chapter 2147, effective September 20, 1963, added Section 3519 and amended Section 1061 of the Public Utilities Code to include "cement carrier" and "cement contract carrier."

carrier by Decision No. 65912, supra, be amended so that it will refer to General Order No. 84-E rather than 84-D. Counsel states that the carrier has continued to handle collect on delivery (C.O.D.) shipments and to account for the moneys collected thereon in accordance with Decision No. 65912, supra, and that the reasons underlying the exemptions granted to Railway Express Agency, Incorporated, by said authority exist today to the same extent as they did when said decision was issued.

In the circumstances, it appears that the exemption granted to Railway Express Agency, Incorporated, by Decision No. 65912, supra, should be amended accordingly. A public hearing is not necessary.

IT IS ORDERED that Decision No. 65912 dated August 20, 1963, in Application No. 45473, is hereby amended by substituting "General Order No. 84-E" for "General Order No. 84-D" in the ordering paragraph thereof.

In all other respects, said Decision No. 65912 shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 19th day of May, 1964.

William L. Dennis
President
Robert E. Smith
Robert M. Page
George L. Crowe
Frederick P. Holoboff
Commissioners