

Decision No. 67358

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE Petition of CARL A. MARCH, an individual, and the Commission's Decision No. 65446 dated May 21, 1963, in a proceeding which granted authority to handle C.O.D. shipments for Montgomery Ward without providing and filing the bond required by General Order 84D is scheduled to expire June 10, 1964.

Application No. 46596  
(Filed April 28, 1964)

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. By this application, he seeks exemption from the provisions of General Order No. 84-E, under which a carrier 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 Montgomery Ward. The application is accompanied by a letter from the shipper stating that the bonding of applicant is not necessary in connection with its C.O.D. consignments.

The bonding provisions are set forth in ordering paragraphs numbered 2, 3, 4, 5, and 7(h) of the general order. Corresponding provisions are set forth in minimum rate tariffs of the Commission.

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 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 shipper. 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 period of one year. In view of the impending expiration date of the current authority, the order herein will be made effective June 10, 1964.

Good cause appearing,

IT IS ORDERED that Carl A. March 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 Montgomery Ward. 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 June 10, 1964.

Dated at San Francisco, California, this 17<sup>th</sup> day of JUNE, 1964.

William L. Bernard  
President

George H. Hoover  
Commissioners

Fredrick B. Halbach  
Commissioners