

**ORIGINAL**

Decision No. 67463

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of John K. Withrow, DBA, Withrow )  
Trucking, for exception from the ) Application No. 46700  
provisions of Gen. Order No. 84-C) (Filed June 8, 1964)  
relating to a C.O.D. Bond. )

OPINION AND ORDER

Applicant holds radial highway common, highway contract and city carrier permits. By this application he seeks an 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. The application is accompanied by letters from the shippers stating, in effect, that the bonding of applicant is not necessary in connection with their C.O.D. consignments. The exemption as herein sought has heretofore been granted to applicant. The present authority is scheduled to expire August 5, 1964.

General Order No. 84-C was superseded by General Order No. 84-D and the latter was superseded by General Order No. 84-E effective February 1, 1964.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

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<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.

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 Inasmuch as General Order No. 84-C is no longer in effect, the application will be considered as an amended application seeking relief from the bonding requirements of General Order No. 84-E.

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 further one-year period.

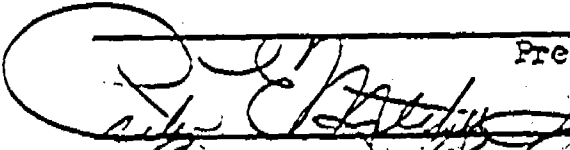
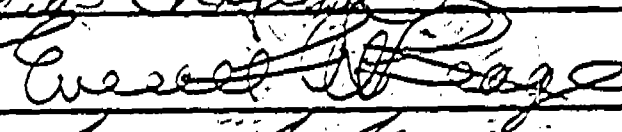
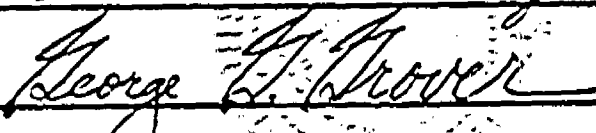

IT IS ORDERED that:

1. John K. Withrow, doing business as Withrow Trucking, 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 Addressograph-Multigraph Corporation and Ditto, Incorporated.

2. The authority herein granted shall supersede the authority granted by Decision No. 65723, dated July 16, 1963, in Application No. 45459 and shall expire with August 5, 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 30th day of June, 1964.

 President  
  
  
 Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.