

**ORIGINAL**

Decision No. 67565

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )	
<u>Abelardo Sotelo, Jr.</u> , for exemption )	Application No. 46756
from the provisions of General )	(Filed June 25, 1964)
Order No. 84E regarding C.O.D. Bond. )	

OPINION AND ORDER

Applicant holds radial highway common carrier and city carrier permits. By this application, he seeks an exemption from certain requirements of General Order No. 84-E 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 shipper hereinafter designated. The application includes a waiver signed by the shipper authorizing applicant to make C.O.D. deliveries for it without bond.

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.

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 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 of 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 Abelardo Sotelo, Jr., 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 The Best Fertilizers Co. This authority shall expire with August 10, 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 21<sup>st</sup> day of July, 1964.

Fredrick B. Hallock  
President  
John C. Smith  
Charles W. Page  
George T. Traver  
William B. Quinn  
Commissioners