

ORIGINAL

Decision No. 69758

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
John K. Withrow, DBA, Withrow Truck-) Application No. 47850
ing, for exception of the provisions) (Filed August 27, 1965)
of General Order No. 84-C relating)
to a C.O.D. Bond.)

OPINION AND ORDER

John K. Withrow holds radial highway common carrier, highway contract carrier and city carrier permits. By Decision No. 67463, dated June 30, 1964, in Application No. 46700, he was granted an exemption from certain requirements of General Order No. 84-E under which carriers may not handle collect-on-delivery (C.O.D.) shipments until a bond of not less than \$2,000 is provided and filed with the Commission. The exemption was applicable only in connection with such shipments transported for Addressograph-Multigraph Corporation and Ditto, Incorporated. That authority expired with August 5, 1965.

By this application, applicant seeks further exemption from the bonding requirements of General Order No. 84-C in connection with C.O.D. shipments handled for the same shippers. The bonding provi-

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Effective June 1, 1965, General Order No. 84-F superseded General Order No. 84-E pursuant to Decision No. 68779, dated March 23, 1965, in Case No. 7402. Inasmuch as General Order No. 84-C is no longer in effect, the application herein will be considered as an amended application seeking relief from the bonding requirements of the current General Order No. 84-F.

sions involved are set forth in Ordering Paragraphs 2 to 7, inclusive, of General Order No. 84-F. Corresponding provisions are set forth in various minimum rate tariffs of the Commission. 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 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 granted for a period of one year. Inasmuch as applicant's prior exemption has expired, the order which follows will be made effective on the date hereof.

IT IS ORDERED that:

1. John K. Withrow, doing business as Withrow Trucking, is hereby relieved from the requirements of Ordering Paragraphs 2 to 7, inclusive, of General Order No. 84-F 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 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 5th day of October, 1965.

Frederick B. Hallock
President
George T. Hoover
Augustor
William L. Brown
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.