

**ORIGINAL**

Decision No. 69972

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
INMAN CONETY for exemption from the ) Application No. 47876  
provisions of General Order No. 84-E ) (Filed September 7, 1965)  
regarding C.O.D. Bond. )

OPINION AND ORDER

Applicant holds radial highway common carrier, city carrier and highway contract carrier permits. By this application, he seeks exemption from the provisions 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 shipper has on file with the Commission a letter stating in effect that the bonding of applicant is not necessary in connection with its C.O.D. consignments. The exemption as herein sought has been granted to applicant heretofore on a year-to-year basis for several years. The current authority is scheduled to expire with December 9, 1965.

General Order No. 84-E was superseded by General Order No. 84-F effective June 1, 1965.<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-F was adopted by the Commission by Decision No. 68779, dated March 23, 1965, in Case No. 7402.

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 Inasmuch as General Order No. 84-E is no longer in effect, the application will be considered as an amended application seeking relief from the bonding requirements of General Order No. 84-F.

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. The Commission concludes that the application should be granted.

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 further one-year period.

IT IS ORDERED that:

1. Inman Conety is hereby relieved from the requirements of Ordering Paragraphs 2 to 7, inclusive, of General Order No. 84-F and the corresponding provisions set forth in minimum rate tariffs of the Commission in the handling of C.O.D. shipments for Swift & Company.

2. The authority herein granted shall supersede the authority granted by Decision No. 68330, dated December 9, 1964, in Application No. 47015 and shall expire with December 9, 1966, 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 16th day of November, 1965.

Frederick P. Hallock  
President  
George T. Crowder  
Augusta  
William C. Bennett

Commissioners

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