

ORIGINAL

Decision No. 70595

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
Charles G. Rosenbrock for exemption) Application No. 48304
from the provision of General Order) (Filed March 14, 1966)
84-E regarding C.O.D. bond.)

OPINION AND ORDER

Charles G. Rosenbrock, doing business as Rosenbrock Drayage, holds highway contract and city carrier permits. By Decision No. 68887 dated April 13, 1965, in Application No. 47412, he was authorized to handle C.O.D. shipments for James Meagher's Sons without securing and filing a bond of not less than \$2,000 with the Commission as required by General Order No. 84-E. This authority is scheduled to expire with April 22, 1966.

By this application, further exemption is sought from the bonding requirements of the above general order in connection with C.O.D. service for the same shipper. The application is accompanied by a letter from James Meagher's Sons stating in effect that the bonding of applicant is not necessary in connection with its C.O.D. consignments.

General Order No. 84-E was superseded by General Order No. 84-F effective June 1, 1965.¹ The latter general order contains

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General Order No. 84-F was adopted by the Commission by Decision No. 68779, dated March 23, 1965, in Case No. 7402.

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 Inasmuch as General Order No. 84-E is no longer in effect, the application will be considered as an amended application seeking relief from the bonding requirements of General Order No. 84-F.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

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 one-year period. In view of the impending expiration date of the current authority, the order herein will be made effective April 22, 1966.

IT IS ORDERED that:

1. Charles G. Rosenbrock 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 James Meagher's Sons.

2. The authority herein granted shall, on and after April 22, 1966, supersede the authority granted by Decision No. 68887 and shall expire with April 22, 1967, unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective April 22, 1966.

Dated at San Francisco, California, this 19th day of April, 1966.

President
George G. Hoover

William W. Bennett

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Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.

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