

ORIGINAL

Decision No. 71371

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of)
 MANUEL ALARCON, LOUIE ARIAS, RALPH)
 ARIAS, JOAQUIN BALIGAD, SAL De)
 ANDA, CHARLES DIXON, KATSUICHI)
 FUJITA, HAROLD HIRATA, J.B. KIMBLE,)
 HENRY OLDENKAMP, ANGEL REYES,)
 A.L. ROGERS, WALLACE SMIT, WALTER)
 SMIT and LEON THOMPSON for an order)
 under and pursuant to the Highway)
 Carriers Act of the State of)
 California exempting applicants from)
 the provisions of General Order 84-E)
 as promulgated by Decision 66552)
 under date of December 27, 1963,)
 Case No. 7402 as to C.O.D. shipments)
 from Kellogg Supply Co., Inc., 23924)
 South Figueroa Street, Wilmington,)
 Los Angeles County, California.)

Application No. 48731
 (Filed August 22, 1966)

OPINION AND ORDER

Each applicant holds either a radial highway common carrier or a highway contract carrier permit. By this application, they seek exemptions 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.¹ The sought exemptions would apply only in connection with shipments transported for the shipper hereinafter designated. The application is accompanied by an affidavit from Kellogg Supply Co., Inc., stating in effect that the bonding of applicants is not necessary in connection with its C.O.D. consignments.

¹ General Order No. 84-E was superseded by General Order No. 84-F effective June 1, 1965, pursuant to Decision No. 68779, dated March 23, 1965, in Case No. 7402.

General Order No. 84-F contains 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. Corresponding provisions are set forth in various minimum rate tariffs of the Commission.

The 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 exemptions are justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

Attention is called to the fact that the exemptions herein granted extend only to shipments transported for the specified shipper. Should applicants 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. services in question are performed may change, the exemptions will be limited to a one-year period.

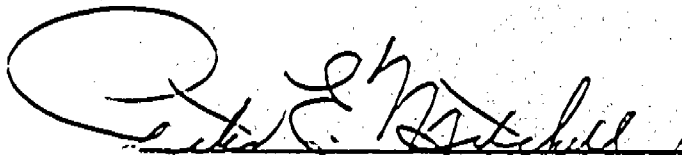
IT IS ORDERED that:

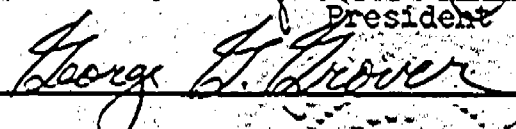
1. Manuel Alarcon, Louie Arias, Ralph Arias, Joaquin Baligad, Sal De Anda, Charles Dixon, Katsuichi Fujita, Harold Hirata, J. B. Kimble, Henry Oldenkamp, Angel Reyes, A. L. Rogers, Wallace Smit, Walter Smit and Leon Thompson are hereby relieved from the requirements of Ordering Paragraphs 2 to 7, inclusive, 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 Kellogg Supply Co., Inc.

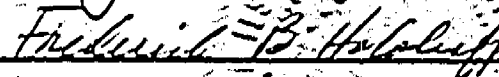
2. This authority shall expire one year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.


This order shall become effective twenty days after the date hereof.


Dated at San Francisco, California, this 4th day of October, 1966.



President








Commissioners