

**ORIGINAL**

Decision No. 72672

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation )  
into the rates, rules, regulations, )  
charges, allowances and practices of )  
all common carriers, highway carriers )  
and city carriers relating to the )  
transportation of property within )  
San Diego County (including trans- )  
portation for which rates are pro- )  
vided in Minimum Rate Tariff No. 9-B).)

Case No. 5439

SUPPLEMENTAL OPINION AND ORDER

Decision No. 72671, entered today in Case No. 5441 et al., authorized revisions in the parcel delivery rates in City Carriers' Tariff No. 1-A and Minimum Rate Tariffs Nos. 1-B, 5 and 9-B. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 9-B should be amended by a separate order in this proceeding.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 9-B (Appendix A of Decision No. 67766, as amended) is hereby further amended by incorporating therein, to become effective August 5, 1967, Second Revised Page 25 and First Revised Page 45 attached hereto and by this reference made a part hereof.

2. Tariff publications required to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order on not less than ten days' notice to the Commission and to the public and shall be made effective not later than August 5, 1967.

3. Common carriers, in establishing and maintaining the rates authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

4. In all other respects Decision No. 67766, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty-five days after the date hereof.

Dated at San Francisco, California, this 27<sup>th</sup> day of June, 1967.

*John E. Mitchell*  
President

*William L. Bennett*

*Augustine*

*William J. Quinn*

Commissioners

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p data-bbox="314 471 1260 541">COLLECT ON DELIVERY (C.O.D.) SHIPMENTS (Continued) (Items Nos. 180, 181 and 182)</p> <p data-bbox="198 575 1359 802">8. The bond prescribed herein shall not be required of carriers while engaged as independent-contractor subhaulers; or city carriers operating within lawfully established pickup and delivery limits as agents of a common carrier in the performance for such common carrier of transfer, pickup or delivery services provided for in the lawfully published tariffs of such common carrier.</p> <p data-bbox="295 835 1243 874">9. Every carrier handling C.O.D. shipments shall:</p> <p data-bbox="374 900 1282 1161">(a) Establish and maintain a separate bank account or accounts wherein all moneys (other than checks or drafts payable to consignor or payee designated by consignor) collected on C.O.D. shipments will be held in trust until remitted to payee, except C.O.D. moneys which are remitted within five days after delivery.</p> <p data-bbox="374 1187 1270 1348">(b) Establish and maintain a record or records of all C.O.D. shipments in such manner and form as will plainly and readily show the following information with respect to each shipment:</p> <ol data-bbox="471 1356 1248 1648" style="list-style-type: none"> <li>(1) Number and date of freight bill.</li> <li>(2) Name and address of consignor or other person designated as payee.</li> <li>(3) Name and address of consignee.</li> <li>(4) Date shipment delivered.</li> <li>(5) Amount of C.O.D. moneys collected.</li> <li>(6) Date C.O.D. moneys remitted.</li> <li>(7) Check number or other identification of remittance to payee.</li> </ol> <p data-bbox="377 1674 1308 2064">(c) Collect the full amount of the C.O.D. moneys at the time C.O.D. shipments are delivered to the consignee and remit all such collections to consignor, or to other persons designated by the consignor on such shipments, promptly and in no event later than 10 days after delivery to the consignee, unless consignor instructs otherwise in writing. All remittances for C.O.D. shipments shall refer to or otherwise identify the C.O.D. shipment or shipments covered by the remittance.</p> <p data-bbox="380 2124 1274 2294">(d) Not accept checks or drafts (other than certified checks, cashier's checks, or money orders) in payment of C.O.D. charges unless authority has been received from the consignor.</p>	<p data-bbox="1419 1348 1496 1382">ø181</p>

- (e) Notify the consignor immediately if a C.O.D. shipment is refused or cannot be delivered on the carrier's initial attempt. Upon instructions from the consignor the carrier may attempt subsequent deliveries, the charge for each such delivery, or attempted delivery, being determined by the applicable freight charges from carrier's terminal to the point of destination. The carrier may also return the shipment to the consignor upon his request, subject to a charge equal to the applicable freight charges on the original outbound movement.
- (f) Not make a C.O.D. shipment part of a split delivery shipment.

10. If, in any particular case, exemption or deviation from any of the requirements herein is deemed necessary by the carrier concerned, the Commission will consider the application of such carrier for such exemption or deviation when accompanied by a full statement of the conditions existing and the reasons why such exemption or deviation is considered necessary.

11. A carrier not electing to undertake transportation of C.O.D. shipments shall be deemed to have given notice of such election by not filing the bond provided for herein for carriers handling such shipments.

12. The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments weighing less than 100 pounds shall be 450 cents without regard to the amount collected.

(Continued in Item No. 182)

Change  
Increase

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Decision No. 72672

EFFECTIVE AUGUST 5, 1967

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 56

