

ORIGINAL

Decision No. 73381

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,)
 KATSUICHI FUJITA, HAROLD HIRATA,)
 J. B. KIMBLE, ANGEL REYES, WALLACE)
 SMIT, LEON THOMPSON, CARL ADDINGTON,)
 CORNIE DE BIE, EDDIE THOMPSON and)
 J. A. ROGERS for an order under and)
 pursuant to the Highway Carriers Act)
 of the State of California exempting)
 applicants from the provisions of)
 General Order 84E 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. 49729
(Filed October 11, 1967)

OPINION AND ORDER

Each applicant holds either a radial highway common carrier or a highway contract carrier permit. ¹ By Decision No. 71371 dated October 4, 1966, in Application No. 48731, applicants were authorized to handle C.O.D. shipments for Kellogg Supply Co., Inc., without securing and filing a bond of not less than \$2,000 with the Commission as required by General Order No. 84-F. This authority expired with October 24, 1967.

By this application, exemptions are sought from the same provisions of the general order in connection with C.O.D. shipments for the same shipper. The application is accompanied by an

¹ Minor discrepancies exist between certain applicants' names as they appear in the application and as they appear in the Commission's official records. Each applicant will be referred to by the name shown in the Commission's official records.

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.

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 rules 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 period of one year. As applicants' exemptions have expired, the order which follows will be made effective on the date hereof.

IT IS ORDERED that:

1. Manuel S. Alarcon, Louis Arias, Ralph J. Arias, Joaquin A. Baligad, Salvador M. de Anda, Katsuichi Fujita, Frank Hirata, Harold Hirata, J. B. Kimble, Jose A. Reyes, Wallace J. Smit, Leon Thompson, Carl R. Addington, Cornie J. De Bie,

Eddie Thompson and James A. Rogers 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. 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.

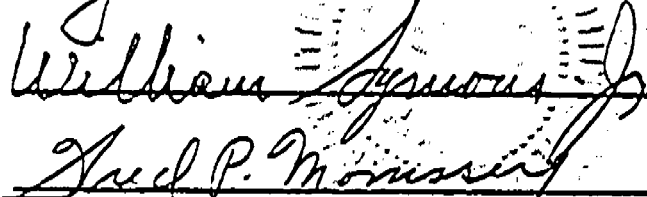
This order shall become effective on the date hereof.

Dated at San Francisco, California, this 21st day of November, 1967.



President





Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.