

ORIGINAL

Decision No. 74904

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of)
 MANUEL ALARCON, LOUIE ARIAS,)
 RALPH ARIAS, KATSUICHI FUJITA,)
 HIRATA BROTHERS, ANGEL REYES,)
 WALLACE SMIT, LEON THOMPSON, CARL)
 ADDINGTON, CORNIE DE BIE, EDDIE)
 THOMPSON, J. A. ROGERS, CEASAR)
 OSEJO, DONALD RAY HALL, FRANK V.)
 LIZARRAGA, and TAD EGUCHI for an)
 order under and pursuant to the)
 Highway Carriers Act of the State)
 of California exempting applicants)
 from the provisions of General)
 Order 84F as promulgated by)
 Decision 68779 under date of)
 March 23, 1965, 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. 50576
(Filed September 26, 1968)

OPINION AND ORDER

Each applicant holds either a radial highway common carrier
 or a highway contract carrier permit.¹ By this application, appli-
 cants seek exemptions from the provisions of General Order No. 84-F,
 under which a carrier may not handle C.O.D. shipments until a bond
 of not less than \$2,000 is provided and filed with the Commission.²
 The sought exemptions would apply only in connection with shipments
 transported for Kellogg Supply Co., Inc. The application is accom-
 panied by an affidavit from Kellogg Supply Co., Inc., stating in

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.

² By Decision No. 73381 dated November 21, 1967, in Application No. 49729, all applicants except Cesar A. Osejo, Donald R. Hall, Frank V. Lizarraga and Tadashi Eguchi were authorized to handle C.O.D. shipments for the shipper involved herein without securing and filing the required bond. This authority is scheduled to expire with November 21, 1968.

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. In view of the impending expiration date of the current authority, the order herein will be made effective November 21, 1968.

IT IS ORDERED that:

1. Manuel S. Alarcon, Louis Arias, Ralph J. Arias, Katsuichi Fujita, Frank Hirata, Harold Hirata, Jose A. Reyes, Wallace J. Smit, Leon Thompson, Carl R. Addington, Cornie J. De Bie, Cesar A. Osejo, Donald R. Hall, Frank V. Lizarraga, Tadashi Eguchi, 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, on and after November 21, 1968, supersede the authority granted by Decision No. 73381 and shall expire with November 21, 1969.

This order shall become effective November 21, 1968.

Dated at San Francisco, California, this 6th day of November, 1968.

William J. Lyons, Jr.
President
[Signature]
William W. Bennett
[Signature]
[Signature]
J. P. Morrisey
Commissioners