

Decision No. 76729

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
Jesse Rueda for exemption from the) Application No. 51599
provision of General Order 84-C re-) (Filed January 5, 1970)
garding C.O.D. Bond.)

OPINION AND ORDER

Jesse Rueda holds a radial highway common carrier permit. By this application, he seeks exemption from the provisions of General Order 84-C, 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 exemption would apply only in connection with shipments transported for Downey Fertilizer Company. The application is accompanied by a letter from the shipper stating, in effect, that the bonding of applicant 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 requirements governing the transportation of C.O.D. shipments were established primarily for the protection of shippers.

¹ General Orders Nos. 84-C, 84-D and 84-E have been respectively superseded by General Orders Nos. 84-D, 84-E and 84-F pursuant to Decisions Nos. 65244, 66552 and 68779, in Case No. 7402. Inasmuch as General Order No. 84-C is no longer in effect, the application herein will be considered as an amended application seeking relief from the bonding requirements of the current General Order No. 84-F.

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. The Commission concludes that the application should be granted.

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.

IT IS ORDERED that:

1. Jesse Rueda 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 Downey Fertilizer Company.

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 Diego, California, this 3rd day of February, 1970.

William J. Squares, Jr.
President

J. P. Williams

Thomas A. ...

James L. Steeger
Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.