

ORIGINAL

Decision No. 77078

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
CONSOLIDATED FREIGHTWAYS CORPORATION
OF DELAWARE for exemption from the
provisions of General Order 84-F,
Paragraph 9(d), disposition of
refused or undelivered C.O.D. shipments.)

) Application No. 51739
) (Filed March 2, 1970)
)

OPINION AND ORDER

Consolidated Freightways Corporation of Delaware operates as a highway common carrier, petroleum irregular route carrier and highway permit carrier for the transportation of property between various points in California. By this application, it seeks relief from the requirements of paragraph 9(d) of General Order No. 84-F in connection with the transportation of packages between points in the San Francisco/Oakland Metropolitan Area and points in the Los Angeles Metropolitan Area.¹

Applicant proposes: (1) to accept checks issued by the consignee as payer to the order of the shipper in payment of C.O.D. charges; (2) to accept such checks at the risk of the shipper;

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Paragraph 9(d) of the general order prohibits carriers from accepting 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.

(3) to transmit the checks to the shipper; and (4) to collect cash only when instructions to do so are written on the C.O.D. tag.²

Applicant alleges that it is normal practice for the consignee to remit C.O.D. amounts by check payable to the shipper. Applicant states that this practice eliminates unnecessary delays and paperwork, which would otherwise occur in instances where the consignee remits C.O.D. charges and the carrier in turn issues its check for such charges to the shipper. Applicant avers that it accepts and transmits checks in payment of C.O.D. charges on interstate shipments from and to points in California in the manner herein proposed for intrastate shipments and that a uniform method of handling interstate and intrastate C.O.D. shipments is desirable.

The application was listed on the Commission's Daily Calendar of March 3, 1970. No objection to the granting of the application has been received.

The Transportation Division staff has reviewed the application and recommends that it be granted by ex parte order.

In the circumstances, it appears, and the Commission finds, that the sought exemption is justified. A public hearing is not necessary. The Commission concludes that the application should be granted.

IT IS ORDERED that:

1. Consolidated Freightways Corporation of Delaware is hereby relieved from the requirements of paragraph 9(d) of General Order No. 84-F to the extent specifically proposed in the application.

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Applicant proposes to publish these C.O.D. provisions in Item No. 225 of its Tariff No. 131, Cal.P.U.C. No. 5.

2. Tariff publications authorized to be made as a result of the order herein may be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and to the public.

3. The authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

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

Dated at San Francisco, California, this 14TH day of April, 1970.

William Symons, Jr.
President
Aurgeter
Thomas L. Sturgeon
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.