

80742

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of)
 CARL R. ADDINGTON, G. W. ADDINGTON,)
 RALPH J. ARIAS, ROBERT ARIAS,)
 TOM BEZA, MARIO BOSQUET, CORNIE J.)
 DE BIE, TADASHI EGUCHI, KATSUICHI)
 FUJITA, DONALD R. HALL, AARON HARRIS,)
 FRANK HIRATA, HAROLD HIRATA,)
 J. B. KIMBLE, TOM MC EWAN, CESAR)
 OSEJO, JUAN OSEJO, RALPH PINEDO,)
 JOSE A. REYES, JAMES A. ROGERS,)
 WALLACE J. SMIT, EDDIE THOMPSON)
 and ALEX WILLIAMS for an order)
 under and pursuant to the Highway)
 Carriers Act of the State of)
 California exempting applicants)
 from the provisions of General)
 Order 84-F 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, Carson, Los)
 Angeles County, California.)

Application No. 53665
 (Filed October 24, 1972)

OPINION AND ORDER

Each applicant holds either a radial highway common carrier or a highway contract carrier permit. By this application, applicants 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.¹ The sought exemptions would apply only in connection with shipments transported for Kellogg Supply Co., Inc.

¹ By Decision No. 79318 dated November 16, 1971, in Application No. 52911, all applicants except Tom Beza, Mario Bosquet, Tom Mc Ewan and Juan Osejo 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, 1972.

The application is accompanied by an 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.

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.

IT IS ORDERED that:

1. Carl R. Addington, G. W. Addington, Ralph J. Arias, Robert Arias, Tom Beza, Mario Bosquet, Cornie J. De Bie, Tadashi Eguchi, Katsuichi Fujita, Donald R. Hall, Aaron Harris, Frank Hirata, Harold Hirata, J. B. Kimble, Tom Mc Ewan, Cesar Osejo, Juan Osejo, Ralph Pinedo, Jose A. Reyes, James A. Rogers, Wallace J. Smit, Eddie Thompson and Alex Williams are hereby relieved from the requirements of Ordering Paragraphs 2 to 7, inclusive, of General Order No. 84-F in the handling of C.O.D. shipments for Kellogg Supply Co., Inc.

2. The authority herein granted shall, on and after November 21, 1972, supersede the authority granted by Decision No. 79318 and shall expire with November 21, 1973.

This order is effective on the date hereof.

Dated at San Francisco, California, this 21st day of November, 1972.

Vernon L. Stenger
President

William J. Suter
William J. Suter

William J. Suter
William J. Suter
Commissioners