

Decision No. 81172**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of Application of
 DAVID O. GUERRERO 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-A 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. 53757
 (Filed December 14, 1972)

O P I N I O N

Applicant seeks an exemption from the bonding provisions of General Order No. 84-F of this Commission as to C.O.D. shipments for Kellogg Supply Co., Inc. For some years Kellogg Supply Co., Inc. has made a practice of utilizing independent carriers for the purpose of transporting its merchandise. Applicant is such an independent carrier and holds a radial highway common carrier permit. Applicant is now hauling merchandise for Kellogg Supply Co., Inc. Only a very small portion of applicant's deliveries are made on a C.O.D. basis; the cash picked up by applicant is not in excess of 5 percent of the value of the total sales. Applicant is not paid separately for each haul. By reason of the large bulk in material delivered and the infrequency of C.O.D. deliveries, applicant rarely has in his possession funds of Kellogg Supply Co., Inc. in excess of the amounts due him by that company.

Kellogg Supply Co., Inc. has no objection to the exemption. There were no protests to the application.

After consideration the Commission finds that the proposed exemption would not be adverse to the public interest and concludes that it should be authorized. A public hearing is not necessary.

O R D E R

IT IS ORDERED that David O. Guerrero is granted an exemption from the bonding provisions of General Order No. 84-F as to C.O.D. shipments from Kellogg Supply Co., Inc.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 20th
day of MARCH, 1973.

Norman L. Stenberg
President
William Figueroa Jr.
J. M. Knaul
Thomas Korman
Commissioners

Commissioner Thomas Korman, being necessarily absent, did not participate in the disposition of this proceeding.