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ORIGINAL

Decision No. 81667

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of )  
ALLEN C. YOSHIMURA 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. 54089  
(Filed June 5, 1973)

OPINION AND ORDER

Applicant holds a radial highway common carrier permit. By this application he seeks an exemption from the provisions of General Order No. 84-F (currently General Order No. 84-G) 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. The sought exemption would apply only in connection with shipments transported for the shipper hereinafter designated. The application is accompanied by an affidavit from the shipper stating in effect that the bonding of applicant is not necessary in connection with its C.O.D. consignments.

The bonding provisions were established primarily for the protection of shippers. Since that protection has been voluntarily waived by the shipper involved in this application, the Commission finds that the sought exemption is justified. A public hearing is not necessary.

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.

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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 Allen C. Yoshimura is hereby authorized to handle C.O.D. shipments for Kellogg Supply Co., Inc., without providing and filing the bond required by Ordering Paragraphs 2 to 7, inclusive, of General Order No. 84-G; that this authority shall expire one year after the effective date of this order, unless sooner canceled, changed or extended by order of the Commission; and that in all other respects the rules set forth in General Order No. 84-G shall govern the C.O.D. services involved in this proceeding.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 31<sup>st</sup> day of July, 1973.

William L. Sturgeon President

[Signature]  
[Signature]  
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

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