

Decision No. 83740**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of)
 Ralph J. Arias, Robert Arias, Tom)
 Peza, Marcos Bosquet, Cornie J.)
 De Dio, Tadashi Eruchi, Katsuichi)
 Fujita, John Garcia, Jr., David)
 Guerrero, Donald R. Hall, Aaron)
 Harris, Frank Hirata, Harold)
 Hirata, J. B. Kimble, Gary)
 McEwen, Tom McEwen, Richard)
 Melendrez, Cesar Osejo, Juan)
 Osejo, Ralph Pinedo, Jose A.)
 Reyes, Eddie Thompson, Alex)
 Williams and Allen 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. 55186
 (Filed September 13, 1974)

OPINION AND ORDER

Each applicant holds either a radial highway common carrier or a highway contract carrier permit.¹ By this application, applicants seek exemptions from the provisions of General Order No. 84-F (currently General Order No. 84-G), 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.² The sought exemptions

¹ Commission records disclose that the permit of Marco Bosquet has been transferred to another individual and the permit of Juan Osejo has been revoked. The authority sought by them will therefore not be considered in this proceeding.

² By Decision No. 82090 dated November 7, 1973, in Application No. 54335, all applicants except John Garcia, Jr., Gary McEwen, Richard Melendrez and Allen Yoshimura 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, 1974.

would apply only in connection with shipments transported for Kellogg Supply Co., Inc. 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.

In the circumstances, the Commission finds that the sought exemptions of the permitted carriers involved are justified. A public hearing is not necessary. The Commission concludes that the application should be granted to the extent indicated in the ensuing order.

IT IS ORDERED that:

1. Ralph J. Arias, Robert Arias, Tom Beza, Connie J. De Die, Tadashi Eguchi, Katsuichi Fujita, John Garcia, Jr., David Guerrero, Donald R. Hall, Aaron Harris, Frank Hirata, Harold Hirata, J. D. Kimble, Gary McEwen, Duane T. McEwen, Richard Melendrez, Cesar Osejo, Ralph Pinedo, Jose A. Reyes, Eddie Thompson, Alex Williams and Allen Yoshimura are hereby relieved from the requirements of Ordering Paragraphs 2 to 7, inclusive, of General Order No. 34-G in the handling of C.O.D. shipments for Kellogg Supply Co., Inc.

2. The authority herein granted shall, on and after November 21, 1974, supersede the authority granted by Decision No. 32090 and shall expire with November 21, 1975.

This order shall become effective November 21, 1974.

Dated at San Francisco, California, this 19th day of November, 1974.

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

President
William J. Lyons

John P. ...

Robert E. Merland
Commissioners