

ORIGINAL

Decision No. 88167 NOV 20 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)	
of ROBERT C. STELLO, an indi-)	
vidual doing business as SIERRA)	Application No. 57555
FREIGHT SERVICE, for exemption)	(Filed September 6, 1977)
from C.O.D. bond provisions.)	

OPINION AND ORDER

By Decision 84839 dated August 26, 1975, in Application 55841, Robert C. Stello, doing business as Sierra Freight Service, a radial highway common carrier was granted authority to depart from the provisions of General Order 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. This authority has expired on August 27, 1977.

Applicant now seeks to continue exemption from the requirement to provide and file a C.O.D. bond as required by General Order 84-G. The sought exemption would apply only in connection with shipments transported for Colt Industries, Crucible Inc., Specialty Metal Division. The application is accompanied by a letter from the shipper stating that, since its relationship with the applicant has not changed, the exemption from the bonding requirement should continue and remain in effect as heretofore.

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.

Because the conditions under which the C.O.D. service in question is performed may change, the exemption will be limited to a two-year period. The Commission concludes that the application should be granted as set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Robert C. Stello, doing business as Sierra Freight Service, is hereby authorized to handle C.O.D. shipments for Colt Industries, Crucible Inc., Specialty Metals Division, without providing and filing the bond required by Ordering Paragraphs 2 to 7, inclusive, of General Order No. 84-G.

2. The authority granted herein shall expire two years after the effective date of this order unless sooner cancelled, modified or extended by further order of the Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 29th
day of NOVEMBER, 1977.

I dissent.
William Lyons Jr.

Robert Bateman
President

Leon L. Sturgeon
Richard D. Hoyle
Clare J. Delbridge
Commissioners