

ORIGINAL

Decision No. 88908 MAY 31 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of)
 GABRIEL ACEVES, RALPH J. ARIAS,)
 ROBERT ARIAS, TOM BEZA, JAKE DE)
 BIE, TADASHI EGUCHEI, STEVE ELLIN-)
 GER, JOHN GARCIA, JR., DAVID GUER-)
 RERO, DONALD R. HALL, AARON HAR-)
 RIS, HAROLD HIRATA, J. B. KIMBLE,)
 MARVIN KIMBLE, TOM MCEWEN, RICHARD)
 MELENDREZ, INDALECTO MORENO, CESAR)
 OSEJO, JOSE A. REYES, SALOMON)
 MARTINEZ RODRIGUEZ, EDDIE THOMP-)
 SON 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, Inc., 23924 South Figueroa)
 Street, Carson, Los Angeles Coun-)
 ty, California.)

Application No. 58004
 (Filed April 13, 1978)

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. The sought exemptions 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

¹Commission records disclose that minor discrepancies exist concerning the names of certain applicants as they appear in the application and as they are set forth in their permits. Authority will be granted to such applicants as they are named in their permits and only to those having current authority to operate.

necessary in connection with its C.O.D. consignments. Three of the above listed carriers' rights have been revoked.

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. The following named individuals are hereby relieved from the requirements of Ordering Paragraphs 2 to 7, inclusive, of General Order No. 84-G in the handling of C.O.D. shipments for Kellogg Supply, Co., Inc.

<u>NAME</u>	<u>T-NUMBER</u>
Gabriel Aceves	113,480
Robert Arias	91,239
Tom Beza	43,967
Jacob N. DeBie	111,079
Tadashi Eguchi	87,899
Steve Ellinger	109,772
John Garcia, Jr.	104,727
David Guerrero	102,815
Donald R. Hall	77,248
Aaron Harris	90,117
Harold Hirata	119,707
J. B. Kimble	79,061
Marvin Kimble	111,863
Duane T. McEwen	98,876
Richard Melendrez Piedras	107,117
Indalecio Moreno	108,140
Cesar Osejo	89,204
Jose A. Reyes	62,951
Allen Yoshimura	103,971

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2. The exemptions sought by Ralph J. Arias, Salomon Martinez Rodriguez and Eddie Thompson are denied.

3. The authority involved herein shall continue until further order of the Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 31st day
of MAY 1, 1978.

Ruben Bateman

President

William J. Quinn

Vernon L. Sturgeon

Robert D. Howell

Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.