

ORIGINAL

Decision No. 90955 OCT 23 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application )  
of ROBERT C. STELLO, an individ- )  
ual, doing business as SIERRA )  
FREIGHT SERVICE, for exemption )  
from C.O.D. bond provisions. )

Application No. 59068  
(Filed August 14, 1979)

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-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 Colt Industries, Crucible Specialty Metals Division. The application is accompanied by a letter from the shipper stating in effect that the bonding of applicant is not necessary in connection with its C.O.D. consignments.

Applicant has been transporting C.O.D. shipments for Colt Industries, Crucible Specialty Metals Division, without having a C.O.D. bond on file, as authorized by Commission Decisions:

- D.78910, dated July 13, 1971, in A.52633,
- D.81769, dated August 21, 1973, in A.54162,
- D.83375, dated August 24, 1974, in A.55085,
- D.84839, dated August 26, 1975, in A.55841 and
- D.88167, dated November 29, 1977, in A.57555.

The bonding provisions were established primarily for the protection of shippers. Since that protection has been voluntarily waived since 1971 by the shipper involved in this application, the Commission finds that the sought exemption is justified. A public hearing is not necessary.

The application was listed on the Commission's Daily Calendar of August 15, 1979. No objection to the granting of the application has been received.

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 Specialty Metals Division, without providing and filing the bond required by Ordering Paragraphs 2 to 7, inclusive, of General Order No. 84-G or any subsequent reissues thereof.

2. 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.

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

The effective date of this order shall be thirty days after the date hereof.

Dated OCT 23 1979, at San Francisco, California.

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President

Commissioner JOHN E. BRYSON

Present but not participating.

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

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*Robert C. Stello*  
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*John E. Bryson*  
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*Vernon L. Sturgeon*  
Commissioners