

Decision No. 58952**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
 of G. I. TRUCKING COMPANY, for)
 an extension of operating)
 authority, namely, to operate as)
 a highway common carrier of)
 commodities generally between)
 points and places of applicant's)
 present authority in portions of)
 Los Angeles, Ventura, Santa)
 Barbara and San Luis Obispo)
 Counties.)

Application No. 39997

Jack E. Hildreth of Smith, Van Dyke & Hildreth,
 for applicant.
Donald Murchison, for Southern California Freight
 Lines, Southern California Freight Forwarders,
 California Motor Transport Co., Ltd., and
 California Motor Express, Ltd.; H. J. Bischoff,
 for Oxnard Trucking Service (Carr Bros.), and
Fitz-Gerald Bros.; Joseph R. Naddeo, for Fields
 Freight, Inc.; Glanz & Russell, by R. Y. Schureman
 for Constructors Transport Co. and George C.
Smith, Jr., protestants.

O P I N I O N

The G. I. Trucking Company is a certificated highway common carrier which has authority to transport general commodities, with limited exceptions, in the Los Angeles area. Its operating rights are contained in a certificate of public convenience and necessity granted in Decision No. 52801 on Application No. 36282. The operating rights authorize G. I. to serve a territorial area which may be generally described as extending eastwardly to San Bernardino, Colton and Riverside; southerly to Santa Ana and Balboa Island; westwardly to the Pacific Ocean and northerly to San Fernando. G. I. also holds the following permits issued by this Commission: Highway Contract Carrier Permit No. 19-30284; Los Angeles City Carrier Permit No. 19-38673; Household Goods Carrier Permit

No. 19-47780, and Radial Highway Common Carrier Permit No. 19-24848.

By this application G.I. seeks authority to extend the territorial area which it may serve as a highway common carrier to include all points and places on U. S. Highway 101 and ten miles on either side thereof between the area in which it is now certificated and Santa Maria.

Public hearings were held in this matter in Los Angeles on August 22, 25, 26 and 27, 1958, and in Santa Barbara on September 30, October 1 and 2, 1958.

The Commission directed that the Examiner prepare and file a proposed report in this matter. The proposed report was filed on June 3, 1959. A copy of the proposed report is attached hereto as Appendix A. G. I. filed exceptions to the proposed report and several parties protestant filed replies to the exceptions. The matter is now ready for decision.

The Commission has carefully considered the proposed report and the exceptions and replies thereto. Some of the replies to the exceptions contained references to matters dehors the record. This practice is not to be condoned, and the Commission has not gone outside the record in determining this proceeding. The Commission is of the opinion that the Examiner's rulings on all procedural and evidentiary matters were correct.

The Commission is also of the opinion that the Examiner correctly found that G. I. has the ability, including financial ability, to conduct operations in the area for which a certificate of public convenience and necessity is herein sought.

Upon consideration of the record, the Commission is of the further opinion that the Examiner did not accord sufficient weight to the testimony of witnesses Kasner, Richard Burkhart, Stokes, Mascola and Hess. In the light of this testimony and other evidence

of record the Commission finds that public convenience and necessity require that the application be granted.

In order to avoid confusion among the shipping public and assist the Commission in its regulatory functions, the additional operating authority herein granted will be consolidated with G. I.'s existing certificate.

The G. I. Trucking Company is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

A public hearing having been held and based upon the evidence therein adduced IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to G. I. Trucking Company, a corporation, authorizing it to operate as a highway common carrier as defined by Section 213 of the Public Utilities Code for the transportation of property between the points set forth in Appendix B attached hereto and made a part hereof.

2. Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that it will be required, among other things, to file annual reports of its operations and to


comply with and observe the safety rules and other regulations of the Commission's General Order No. 99. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 99, may result in a cancellation of the operating authority granted by this decision.


Within sixty days after the effective date hereof, and on not less than ten days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate and concurrently make effective, tariffs satisfactory to the Commission.


3. For the convenience of the public and the Commission, the operating rights heretofore granted G. I. in Decision No. 52801 will be republished in Appendix B attached hereto.


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


Dated at San Francisco, California, this 1st
day of September, 1959.



President








Commissioners

APPENDIX A

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of G. I. TRUCKING COMPANY, for)
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Proposed Report of
Examiner Donald B. Jarvis

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 mon carrier which has authority to transport general commodities,
 with limited exceptions, in the Los Angeles area. Its operating
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 necessity granted in Decision No. 52801 on Application No. 36282.
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 which may be generally described as extending eastwardly to San-
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 Island; westwardly to the Pacific Ocean and northerly to San Fernando.
 G. I. also holds the following permits issued by this Commission:
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 Carrier Permit No. 19-38673; Household Goods Carrier Permit No.
 19-44780, and Radial Highway Common Carrier Permit No. 19-24848.

By this application G. I. seeks authority to extend the territorial area which it may serve as a highway common carrier to include all points and places on U. S. Highway 101 and ten miles on either side thereof between the area in which it is now certificated and Santa Maria.

Public hearings were held in this matter in Los Angeles on August 22, 25, 26 and 27, 1958, and in Santa Barbara on September 30, October 1 and 2, 1958.

Nine protestants entered appearances at the public hearings. Eight of the protestants have authority to transport general commodities, with limited exceptions, in some or substantially all of the area which G. I. seeks to serve. Taken as a whole, the operating rights of these eight protestants cover the entire area for which G. I. seeks herein a certificate of public convenience and necessity. The other protestant, Fitz-Gerald Brothers, has the right to transport limited commodities between the Los Angeles Drayage Area on the one hand and Santa Maria and Betteravia on the other hand.

Throughout this proceeding, as in most contested matters, numerous objections to the receipt of evidence were interposed by the parties. Some objections were sustained and others overruled. Some of the rulings on objections were based on technical grounds; others on substantive ones. Of course, each ruling must be considered in the context in which it was made. The net effect of certain of these rulings was to prevent G. I. from introducing in evidence a certain "line of proof" and protestants from introducing another "line of proof". However, the examiner told the parties that: "If you want to ask specific questions with regard to specific issues, I will rule on each question as it arises and you can submit argument at that time. I have not precluded any specific question". The questions raised by these rulings will be considered first.

Throughout the proceeding the protestants sought to elicit testimony or introduce evidence which they claimed would indicate that G. I. was illegally operating as a highway common carrier in the area for which it now seeks a certificate in an attempt to invoke the general rule that in the usual case the Commission will not grant a certificate of public convenience and necessity to a person conducting illegal common carrier operations in the area for which a certificate is sought.

The protestants sought to elicit some of this testimony from witnesses produced by G. I. In many instances, objections were sustained to questions dealing with this subject propounded by the protestants because these questions constituted improper cross-examination or on other technical grounds. On other occasions evidence proffered by some of the protestants was, upon objection, excluded in the discretion of the examiner because it was affirmative matter which tended to broaden the issues in the proceeding.

It has been the practice, in recent years, for persons protesting the granting of a certificate of public convenience and necessity to enter an appearance without filing a pleading - which is permissible under Rule 46. Often these protestants seek to defeat the granting of the relief sought in an application by asserting that the applicant is illegally operating in the area for which he seeks operating authority. An applicant has the right to rely on the presumption that he is innocent of crime or wrong. (Code Civ. Proc. § 1963 (1).) Therefore, when a protestant seeks to raise the question of illegal operations, this is in the nature of affirmative matter which tends to broaden the issues in the proceeding. It may be received or rejected at the discretion of the presiding officer. (Rule 46.) If evidence concerning alleged illegal activities is rejected in an application proceeding the person offering said evidence is not without a forum. Said person may, pursuant to Public Utilities Code Section

1702, file a complaint with this Commission setting forth the alleged illegal operations or present the matter to the Commission and request it to institute an investigation under Public Utilities Code Section 1071.

The question of illegal operations involves more than an issue which could be used by a protestant to defeat the issuance of a certificate of public convenience and necessity. Illegal highway common carrier operations are a misdemeanor. (Public Utilities Code Sec. 2112.) They are also subject to monetary penalties. (Public Utilities Code Section 2111.) The public has an interest in the question. It should not be determined on an inadequate record^{1/}.

It is unfair to an applicant to make him respond to a charge of illegal operations in an application proceeding where he has no prior knowledge of the nature of the charge and is not prepared to defend against it. If such inquiry be permitted the resulting record is not apt to give a true picture of the complained-of operations. In addition, the Commission staff should be present to act on behalf of the public interest when a charge of illegal operations is made.

If any interested person believes that an applicant for a certificate of public convenience and necessity is engaged in illegal common carrier operations it would seem to be the better practice for such person to, as soon as possible, file a complaint against the applicant or file a formal written protest in the application proceeding informing the applicant specifically of the nature of the charges involved. Thus, the applicant will be able to defend against the charges and the Commission staff may investigate or participate in the matter on behalf of the public. If a complaint is filed it can

^{1/} Questions with respect to the effect on subsequent Commission and court proceedings of an adjudication in an application proceeding that the applicant has been conducting illegal operations are not considered herein.

be resolved first or consolidated with the application for hearing.

During the proceeding G. I. attempted to put in evidence certain testimony concerning its present operations as a permitted carrier in the area for which a certificate of public convenience and necessity is sought. G. I. also attempted to put into evidence a thirty-nine page exhibit summarizing freight bills involving the area here in question taken at random from its files for a five-year period purporting to show its operations in the area for that period. This evidence was offered on one or both of two theories: These theories, as stated by counsel for G. I., are that: (1) G. I. has "gradually expanded to a point where we now come before the Commission and say that we now have sufficient transportation in this area to be granted a common carrier certificate". (2) To show that if G. I. were granted a certificate of public convenience and necessity it could "continue the operations it now has without detrimental effect on the other carriers". To "show the economic effect on other carriers operating in the area ..."

Where proper questions were propounded, witnesses were permitted to testify to whether they were presently using the services of G. I. in any area, including the area for which a certificate is sought. This was proper to show, among other things, the relationship, if any, between the witness and G. I. and to show the frame of reference in which these witnesses considered the proposed service by G. I. Witnesses were also permitted to testify as to their opinion of the calibre of the service now rendered to them by G. I.

The proffered evidence concerning G. I.'s permit operations in the area for which a certificate is sought was inadmissible for the purpose of establishing public convenience and necessity. If G. I. is properly operating in the area under its radial and contract carrier permits, the fact that it handles a large volume of business

or operates efficiently under these permits does not tend to establish that public convenience and necessity require the granting of operating rights of an entirely different character. (Florence V. Hill, 48 Cal. P.U.C. 514, 516.) If this evidence had tended to show that G. I. is now conducting highway common carrier operations in an area in which it does not hold a certificate of public convenience and necessity such evidence could not have aided G. I. As indicated, "It is a well established principle of this Commission that a certificate of public convenience and necessity authorizing operation as a highway common carrier will not be granted upon a showing resting upon unlawful operations conducted by the applicant (citations)". (20th Century Delivery Service, 48 Cal. P.U.C. 78, 84.) Furthermore, in Decision No. 50448 the Commission has specifically stated that "... hereafter, any applicant for a certificate of public convenience and necessity ... will not be permitted to present evidence in support of his application concerning the performance by him of transportation services which are beyond the scope of any operating authority possessed by him". (Investigation into the operations of all carriers, etc., 53 Cal. P.U.C. 366, 382.)

The rejected freight bill study and testimony relating thereto had some relevance with respect to the question of the economic impact upon the existing carriers in the area if a certificate were granted. It was rejected, upon objection, because, in the opinion of the examiner, the receipt of this evidence would have tended to open the door to the use of an undesirable mode of procedure by the protestants and tend to raise collateral issue of illegal operations. Had the freight bill study been received in evidence the most it could have shown, if linked up with other evidence, was that if G. I. were granted a certificate its present customers who were now shipping by G. I. into the area under its permit authority would tender the same amount of freight to it as a common carrier. However, G. I. was permitted to

introduce other evidence to this effect without having the vice of opening up the question of illegal operations. Shipper witnesses called by G. I. were permitted to testify that they used G. I. under its permitted authority to the area in question; that they received good service from G. I.; and that if G. I. were granted a certificate of public convenience and necessity they would use its services as a highway common carrier to the area. If the freight bill study or other evidence with respect to specific shipments by G. I. into the area had been received in evidence, the protestants would have had the right to cross-examine upon the subject to show that the shipments were not transported under permit authority as claimed by G. I. but were illegal common carriage. This would have opened up the question of illegal operations which was not deemed at issue under the facts of this proceeding. Since other evidence, offered by G. I. dealing with financial impact was received it was not prejudiced by the exclusion of the freight bill study.

As indicated, G. I. seeks authority to transport general commodities, with limited exceptions, to all points along U. S. Highway 101 and ten miles on either side thereof from the area in which it now has highway common carrier operating rights to Santa Maria.

~~It proposes two routes. One route would provide service between the~~
present certificated area and Goleta. The other route would provide service between the present certificated area and points between Goleta and Santa Maria.

The record discloses that G. I. has 55 pieces of operating equipment and plans to devote, initially, nine of these units to the proposed operations. The net worth of the company was approximately \$130,000 on June 30, 1958. G. I. owns terminal facilities in Los Angeles which cost more than \$154,000. These facilities include 8,300 square feet of dock area over which is handled more than

3,000,000 pounds of freight per month. In 1957, G. I. had an operating ratio of 96.11% and an operating ratio of 93.80% in 1958. G. I. has 68 employees including 44 drivers. There was testimony showing how G. I. conducts its present highway common carrier operations.

The Commission finds that G. I. has the ability, including financial ability, to conduct a highway common carrier operation in the area in question if it be granted a certificate of public convenience and necessity.

G. I. does not, at this time, propose to construct any terminal facilities in the area for which it seeks additional highway common carrier operating rights. It proposes to establish a radio base station in the Ventura area manned by one employee. All G. I. trucks operating in the area would be equipped with two-way radios. The station would coordinate the activities of the trucks.

To contact G. I., a customer in the area would need to telephone the employee at the radio base station, which would generally necessitate a long-distance phone call. This would apply to communications with respect to pickup and delivery service as well as those involving claims. No telephone listing is planned in the Santa Maria area. Thus, while G. I. seeks additional operating rights into and within the area along U. S. Highway 101 from approximately the Los Angeles-Ventura County line to Santa Maria, the actual operation proposed would give service primarily to shippers located in the Los Angeles area and their consignees in the Santa Barbara-Ventura area and very little service to those located within the area in question.

Twenty-eight public witnesses -- shippers and receivers of freight -- testified on behalf of G. I. Fifteen of these witnesses specifically testified that their firms were currently shipping or receiving freight by G. I. in the area in question and that they were

satisfied with this service.

Under the law G. I. now has the right to operate in the area for which a certificate is herein sought as a common carrier so long as it does not operate between fixed termini or over a regular route and as a contract carrier between fixed termini and over a regular route. (Alves v. Public Utilities Commission, 41 Cal. 24, 344, 350.) As indicated, no evidence was received in this proceeding respecting the conduct of specific operations in the area by G. I. under its contract and radial permits. Therefore, it will be assumed, for the purposes of this proceeding only, that G. I. is properly operating under its permits in the area in question. (Code Civ. Proc. § 1963 (1).) Assuming that G. I. is properly serving the firms of the 15 witnesses who testified that they are now receiving satisfactory service from G. I., there is nothing in the testimony of these witnesses to indicate that there is any need to grant to G. I. the certificate of public convenience and necessity herein requested. The testimony of these witnesses is that they are satisfied with the present service and that it meets their needs.

We turn now to the testimony of the 13 other public witnesses. Some of these witnesses testified that they were using G. I. as a certificated highway common carrier in the area which it now has authority to serve; that G. I. gave excellent service and that they would like to use G. I. in the area for which authority is herein sought. Other witnesses testified with respect to complaints against some of the certificated highway common carriers operating in the area here in question. Some of these complaints were rebutted by other evidence. For example: The production manager of the Cooper Development Co. testified that one of the protestant-carriers phoned him on a Saturday morning and informed him that it had a truckload of explosives consigned to Cooper; that he instructed the carrier that

his plant was closed and to deliver the shipment on the following Monday; that the carrier insisted that delivery had to be made on Saturday and that it was necessary for Cooper to hire another carrier to pick up and store the shipment until Monday delivery could be effectuated. In rebuttal, the carrier involved presented evidence to show that the refusal to store the explosives for a Monday delivery was due to compliance with a local ordinance which prohibited the storage of such explosives at the carrier's place of business for more than six hours. Some of the witnesses testified that some of the certificated carriers authorized to serve the area in question would occasionally miss a pickup and that they preferred an earlier or later pickup or delivery than was afforded them by the existing carriers.

It is a rare highway common carrier which has not, at one time or another, missed a pickup because of equipment failure, traffic conditions or even negligence on the part of its personnel. Frequent missed pickups would be some evidence of the inadequacy of present service. The evidence in this case is not sufficient to show that any of the existing common carriers in the area frequently misses pickups, and there is certainly no evidence to show that the existing common carriers in the area as a group are frequently missing pickups.

It is not possible for the highway common carriers in this state to give every shipper a 5:00 p.m. pickup and every receiver of freight an 8:00 a.m. delivery.

A common carrier, among its duties and obligations, is required to "accept and carry whatever is offered to him, at a reasonable time and place ..." (Emphasis added. Civ. Code § 2169). If the certificated carriers in a particular area are not giving reasonable pickup and delivery service to shippers and receivers of freight located in the area, this Commission may order the existing carriers

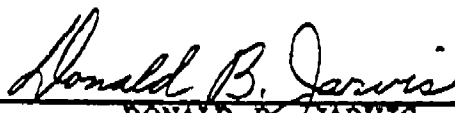
to give adequate service. This also may be evidence of inadequate service and constitute a reason why public convenience and necessity require the certification of a new highway common carrier in the area. This record does not support the contention that the existing highway common carriers are not rendering a reasonable pickup and delivery service in the area in question.

G. I. presented, in support of the application, a market research survey prepared by the John B. Knight Co. which was received in evidence. This survey included population growth trends, industrial growth trends and commercial growth trends in the area here under consideration. The president of the Knight Company testified that the objective of the survey "was to determine the relative need in Ventura of additional certificated trucking service for the Southern California trucking market between Los Angeles and Santa Barbara, Ventura and Santa Barbara". A properly conducted survey would have been of assistance in helping the Commission determine whether public convenience and necessity require the granting of this application. However, cross-examination elicited facts to show that the survey should be given little, if any, weight. Part of the survey consisted of interviewing 103 shippers or receivers of freight whose names were taken from the freight bills of G. I. but who were considered by G. I. not to be regular customers. The ultimate conclusion reached by the survey was that another certificated carrier was needed in the area. The president of the Knight Company testified that "another certificated carrier to me meant to grant a certificate to the G. I. Trucking Company which is already in one sense serving this particular area. This had to be the case, because we were interviewing people who are doing business with them, either consignees or shippers". Also, the survey did not investigate the additional equipment added by the certificated carriers serving the area during period covered

by the survey.

Evidence was introduced to show that each of the protestants has authority to operate in some or substantially all of the area for which G. I. seeks to serve. All of the protestants, save one, have authority to transport general commodities with limited exceptions. In general, the witnesses who appeared in behalf of these protestants testified that each of their companies was not operating to its fullest capacity and that granting applicant the additional authority requested by this application would dilute their business, thereby injuring each of the protestants. This evidence consisted, in the main, of unsupported opinion and was weighted accordingly.

After full consideration of all the evidence of record in this proceeding the Commission finds that G. I. has failed to establish that public convenience and necessity require the granting of the certificate of public convenience and necessity sought by this application. It is recommended that the application be denied.



DONALD B. JARVIS
Examiner

Appendix B

G. I. Trucking Company

1. Republishing of Operating Rights

(a) Applicant, in Decision No. 52801 in Application No. 36282, dated March 19, 1956, was awarded a certificate of public convenience and necessity to operate as a highway common carrier as defined in Section 213 of the Public Utilities Code for the transportation of general commodities except petroleum products in bulk in tank vehicles, uncrated household goods, livestock and commodities of unusual value between the points and places within the following described area:

Beginning at the point where State Highway No. 118 intersects with State Highway No. 27; easterly and northeasterly along State Highway No. 118 to State Highway No. 7; northerly along State Highway No. 7 to Rinaldi Street; easterly on Rinaldi Street and Workman Street; westerly and northerly along the boundary of the City of San Fernando and its prolongation to the boundary of the Angeles National Forest; easterly and southerly along the boundary of the Angeles National Forest to U. S. Highway No. 395; southerly along U. S. Highway No. 395 to U. S. Highway No. 99; easterly along U. S. Highway No. 99 to and including the City of Redlands; southeasterly along an imaginary line to the intersection of U. S. Highways Nos. 60 and 395; southerly on U. S. Highway No. 395 to Cajalco Drive; westerly on Cajalco Drive to Mockingbird Canyon Road; northerly on Mockingbird Canyon Road and Van Buren Street to State Highway No. 18; southerly and westerly along State Highway No. 18 and U. S. Highway No. 91 to State Highway No. 55; southerly along State Highway No. 55 to and including Balboa; westerly and northerly along the shore line of the Pacific Ocean to a point directly south of the intersection of U. S. Highway No. 101 Alternate and State Highway No. 27; thence northerly along State Highway No. 27 to the point of beginning.

(b) Applicant shall not transport shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property

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Appendix B

G. I. Trucking Company

requirements set forth in paragraph (d) of
Item No. 10-C of Minimum Rate Tariff No. 4-A.

2. Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis.
3. Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
4. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.
5. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.
6. Commodities when transported in bulk in dump trucks or in hopper-type trucks.
7. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.

2. G. I. Trucking Company, a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport general commodities between:

The point where State Highway No. 118 intersects with State Highway No. 27; easterly and northeasterly along State Highway No. 118 to State Highway No. 7; northerly along State Highway No. 7 to Rinaldi Street; easterly on Rinaldi Street and Workman Street; westerly and northerly along the boundary of the City of San Fernando and its prolongation to the boundary of the Angeles National Forest; easterly and southerly along the boundary of the Angeles National Forest to U. S. Highway No. 395; southerly along U. S. Highway No. 395 to U. S. Highway No. 99; easterly along

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U. S. Highway No. 99. to and including the City of Redlands; southeasterly along an imaginary line to the intersection of U. S. Highways Nos. 60 and 395; southerly on U. S. Highway No. 395 to Cajalco Drive; westerly on Cajalco Drive to Mockingbird Canyon Road; northerly on Mockingbird Canyon Road and Van Buren Street to State Highway No. 18; southerly and westerly along State Highway No. 18 and U. S. Highway No. 91 to State Highway No. 55; southerly along State Highway No. 55 to and including Balboa; westerly and northerly along the shore line of the Pacific Ocean to a point directly south of the intersection of U. S. Highway No. 101 Alternate and State Highway No. 27; thence northerly along State Highway No. 27 to the point of beginning, on the one hand, and, on the other hand, all points and places located on U. S. Highway 101, including Santa Maria, including also all points located laterally within ten miles on either side of said U. S. Highway 101.

(a) Applicant shall not transport shipments of:

1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A.
2. Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis.
3. Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine.
4. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.
5. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.

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6. Commodities when transported in bulk in dump trucks or in hopper-type trucks.
7. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.

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