

Decision No. 83547

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CITY DRAYAGE CO., INC., a corporation,
for a certificate of public convenience
and necessity authorizing transpor-
tation of general commodities between
all points and places on or within
25 miles of specified routes and
highways.

Application No. 54277
(Filed August 27, 1973;
amended October 12, 1973)

Daniel Baker and William D. Taylor, Attorneys at
Law, for applicant.
Marshall G. Berol, Attorney at Law, for Delta
Lines, Inc., Nielson Freight Lines, and
Ted Peters Trucking Co.; W. A. Gregory and
Marshall G. Berol, Attorneys at Law, for Pacific
Motor Trucking Co.; protestants.

O P I N I O N

City Drayage Co., Inc., a California corporation, requests a certificate of public convenience and necessity authorizing operations as a highway common carrier for the transportation of general commodities, with certain exceptions, between points within an area from Santa Rosa and Sacramento, on the north, to Monterey, Salinas, and Tulare, on the south. Applicant also requests corresponding authority to transport shipments moving in interstate and foreign commerce. Copies of the application were served upon 83 carriers with which the proposed service might compete as well as upon the California Trucking Association, and appropriate notice was filed in the Federal Register on September 19, 1973.

Public hearings were held before Examiner Daly at San Francisco and Oakland with the matter being submitted on the receipt of concurrent briefs which, after an extension of time, were due August 12, 1974. Applicant filed its brief on the date specified, but no brief was filed on behalf of the protestants.

APPLICANT'S CASE

Applicant is presently conducting operations between points within the proposed area pursuant to permits duly issued by this Commission. Applicant proposes a daily service, Monday through Friday, with a same-day or overnight delivery depending upon the time of day requests for service are received. The proposed rates to be assessed are comparable to those set forth in Minimum Rate Tariff 2.

Applicant's principal place of business is located at San Leandro where it maintains terminal and office facilities situated on 3-1/2 acres of property. It owns and operates 75 units of equipment and engages the services of 47 employees including drivers, dockmen, mechanics, and office personnel. As of December 31, 1973, applicant indicated a net worth in the amount of \$69,632.

Applicant's president testified that his father, Daniel N. Souza, started the business in 1946 using one truck and serving one account, M.J.B. Coffee Company; that the business steadily grew until 1951 when his father was serving 21 contract accounts; that in 1951 the operations were made the subject of a Commission investigation and were found to be unlawful; that the Commission order was subsequently reversed by the California Supreme Court; that upon the death of his father in 1951 the business was continued as a family partnership consisting of his mother, brother, and himself; that applicant was incorporated in 1961; that it has continued to grow in response to the needs and requirements of its customers; that applicant now serves approximately 65 accounts, many of whom have been served for 25 years or more; that 95 percent of the accounts require a daily pickup service and many require two pickups a day; that applicant operates 8 trucks which are not used on regular routes, and are available for emergency service, particularly on shipments of pharmaceutical products destined to hospitals within the proposed area; that 10 of applicant's accounts are pharmaceutical

companies; that 50 percent of applicant's traffic is picked up and delivered in the same unit of equipment, which minimizes handling, reduces damages, and results in an expeditious service; that in the ordinary course of business, shipments picked up in the morning frequently receive same-day service and shipments picked up in the afternoon are delivered the following morning; that as a result of an informal investigation, applicant was notified by letter dated April 13, 1973 that it was the opinion of the staff that applicant's operations were being conducted beyond the scope of its permits; that according to the letter the staff expected applicant to arrive at a decision within 30 days as to whether it would make application for appropriate certificated authority or limit its operations to the scope of its permits; and that in response thereto applicant filed the instant application requesting a certificate of public convenience and necessity.

Applicant introduced the testimony of 20 public witnesses who appeared in support of the application. Their testimony is summarized as follows:

1. Robert F. Shafer, San Francisco, Traffic Manager, M.J.B. Company.

Distributes coffee, tea, and rice from warehouses in San Francisco and Union City to proposed points in San Mateo, Santa Clara, Alameda, and Contra Costa Counties. Applicant handled approximately 6,000,000 pounds of freight in 1973. Applicant's service is excellent. It provides an emergency service. Would like to expand use of applicant to points in Marin County. Has used the services of PMT to a limited extent, but its service does not generally meet company's needs.

2. Devlin R. Ranche, San Francisco, Traffic Manager, Standard Brands Foods.

Manufactures and distributes food products from plants in San Francisco and Oakland. Products are handled under the following trade names: Chase & Sanborn Coffee, Tenderleaf Tea, Royal Baking Powder, Royal Dessert Preparations, Blue Bonnet Margarine, Fleishmann's Margarine,

Planter's Peanuts, Carter Candy Company, Fleishmann's Yeast, and Fleishmann's Blue Vinegar. Gross sales in 1973 were in excess of \$1 billion. Shipments range from 500 pounds to truckload. Some commodities require refrigeration. Makes extensive use of split deliveries. Ships to chain and wholesale grocers, bakeries, canneries, drug stores, specialty stores, and institutions. Ships to all of the proposed points; also has shipments moving in interstate commerce to the docks in San Francisco and Oakland. Has used applicant for the past 25 years. Applicant's service is excellent because of availability of equipment, direct pickup and delivery service, which results in a minimum of handling. Applicant has transported shipments of frozen eggs, fruits and berries, and margarine. Has requested applicant to acquire reefer equipment, which applicant is considering. In the past two years, refrigerated service in the proposed area has become practically nonexistent. Familiar with the services of protestants and their services do not adequately meet his company's requirements. PMT is geared to the long haul; Nielson is too restricted in area and merely means another carrier must come in. Has dock congestion at both plants. Approximately 50 percent of its traffic is handled by own trucks, 25 percent is handled by applicant, and 25 percent is handled by Alltrans.

3. Edward Gingrich, Oakland, Customer Service Manager, Ameron Inc., The Pole Products Division.

Manufactures steel and concrete lighting standards, traffic signal standards, and electric wire poles. Has shipments from its Oakland plant to points in the proposed area. Has used applicant for the past five years on 60 percent of its shipments moving to the proposed area. Applicant makes daily scheduled pickups and occasionally provides an emergency service. Has used Delta but the service was not satisfactory because of excessive losses. Has had no claims with applicant. Poles range from 8 feet to 60 feet in length and require flatbed equipment.

4. Meyer Kapler, San Francisco, Traffic Manager,
American Forest Products.

Has used applicant for 26 years on shipments of box shocks, nuts, bolts, steel articles, plywood, paint, empty drums, and small shipments of stationery. Most are direct shipments with same-day or overnight delivery. Has occasion to make shipments to the Ports of San Francisco and Stockton. Prefers applicant because it is a smaller carrier and is more responsive than a larger carrier. With applicant there is less handling of the shipments and less damage. Has not used Delta for the past 5 years because it is too slow.

5. James F. Aitchison, Oakland, General Manager,
Tharco Precision Inc., San Leandro; Tharco
Containers, San Leandro; Precision Packaging,
Oakland.

Manufacturers of corrugated packaging materials. Has used applicant for the past 10 years on shipments to points in the proposed area. Applicant provides a regular daily pickup service and also provides an emergency service when the occasion arises. Applicant provides both a same-day and overnight service. Has dock congestion. Has used Delta, but was not satisfied because of missed pickups.

6. Joseph Francis Queenan, San Leandro, Traffic Manager,
William H. Rorer Inc.

Manufactures drugs, medicines, pharmaceuticals, toilet preparations, and chemical products. Commenced using applicant in 1960, in which year applicant handled 260,000 pounds of its traffic. In 1973 applicant transported over 3,000,000 pounds of its traffic to points in the proposed area. Shipments range from 385 pounds to 1,900 pounds. Uses applicant exclusively. Applicant provides a daily pickup service and when necessary will provide an emergency service on shipments destined to government installations, hospitals, or pharmacies. Company maintains an audit of the carriers that it uses. Applicant was given a Class A rating in 1973. Applicant provides an overnight service and same-day service when requested. Has interstate shipments from the tracks of Western Pacific or Southern Pacific to San Leandro. Discontinued using PMT because of claims.

7. George Batmale, Richmond, Warehouse Manager, Dennison Eastman Corp.

Manufactures tags, labels, autoclaving, ropes, crate paper, copier paper, copier machines, and paper products. Warehouses in Richmond, Has used applicant for 15 years. Shipments range from 400 pounds to 500 pounds. Applicant provides a daily pickup service on shipments moving to the proposed area. Applicant's service is over-night. Occasionally has need for an emergency service, which applicant provides when requested.

8. Thomas N. Sutton, Oakland, Supervisor of Warehousing & Transportation, General Electric Corporation (Lamp Business Division).

Ships from warehouse in Oakland to points in the proposed area. Shipments range from 300 pounds to 700 pounds. Averages approximately 1,500 pounds a day. Has used applicant to the proposed area for the past 14 years. Prefers applicant because it provides a direct service, which results in a minimum amount of handling and thereby reduces the chance of damage. Applicant is reliable. It provides an excellent service including an emergency service when requested.

9. J. M. Snyder, San Leandro, President, National Abrasives.

Distributes all types of abrasives for industrial purposes. Has shipments ranging from 1,500 pounds to 5,000 pounds destined to points in the proposed area including the Port of San Francisco and to the airports in the Bay Area. Has limited dock space. Has used applicant since 1959. Applicant's service is excellent. Uses own trucks on emergency shipments, but applicant also provides an emergency service upon request. Has had no claims with applicant. Has used Delta and its service is generally satisfactory, but it does not provide the special, personalized service given by applicant.

10. James L. Teves, Union City, Traffic & Warehouse Manager, American Distilling Co.

Distills and distributes liquor in less-than-truckload and truckload shipments to Sacramento, Fresno, San Francisco Bay area, and occasionally to Stockton. Has used applicant on an "on-call" basis

for 8 years. Applicant provides a specialized direct service with a minimum of handling. Has interstate shipments to the San Francisco docks. Also operates five proprietary vehicles and uses Alltrans to Eureka, Chico, and Marysville.

11. Robert W. Vogel, Oakland, President, EZest Products, Incorporated.

Manufactures and distributes household cleaners and furniture polishes. Ships to proposed points north of Modesto. Range from 20 pounds to 5,000 pounds. Presently using applicant. Applicant provides a daily pickup and its service is excellent. Claims are practically nil. Has interstate shipments to the docks in the San Francisco Bay area. Presently using Delta to southern California, but its service is not personalized. Would like to perpetuate the service of applicant.

12. Stanley Gogol, Hayward, President, Anabelle Candy Company.

Has used applicant for the past 10 years on shipments averaging approximately 1,500 pounds to such points as Santa Rosa, Stockton, Vallejo, Sacramento, Lodi, Modesto, Turlock, Fresno, Santa Cruz, Salinas, and Monterey as well as to points within the San Francisco Bay area. Has split deliveries. Requires a minimum of handling which applicant accomplishes by its direct service. Applicant also provides an emergency service. Candy products require some type of refrigeration or temperature control during the summer months. Service of applicant is very satisfactory and wants the service perpetuated.

13. Alan Sundstrom, Oakland, Controller, B. W. Norton Manufacturing Company.

Manufactures and distributes metal and plastic containers. Also affiliates with Norton Industries in San Leandro, which manufactures and distributes hose clamp and Norpak, which manufactures and distributes plastic containers. The proposed area constitutes the high density area for his company and its affiliated companies. Uses own equipment for 80 percent of its shipments and applicant for the remaining 20 percent. Uses applicant on an "on-call" basis 2 or 3 times a week. Has shipments to the docks in San Francisco.

14. Don Allen Sams, Union City, Production Manager, Duplex Products Inc.

Manufactures and distributes business forms. Gross sales for the Union City plant was between 6-1/2 and 7 million dollars in 1973. Anticipates an increase of 10 to 20 percent in 1974. Has been using applicant for the past 7 years to Sacramento, San Rafael, Santa Cruz, Walnut Creek, Pleasanton, Concord, and Martinez as well as to points within the San Francisco Bay area. Has split deliveries. Applicant calls every day and handles an average of 16 shipments a week. Applicant provides an overnight service and a same-day service if necessary. Applicant will provide an emergency service. Product is susceptible to dampness. No claims with applicant. Applicant has personalized service. Uses two proprietary vehicles in the Bay Area. Also uses Willig and Time D.C.

15. Peter W. Walsh, Oakland, President, Angus Chemical Corporation.

Manufactures and distributes chemical detergents. Has used applicant for the past 2-1/2 years on shipments moving to an area from Santa Rosa and Sacramento, on the north, to Hanford, Corcoran, and Salinas, on the south. Uses Willig to the Los Angeles area and Delta to the Marysville area. Uses Delta reluctantly because of too many missed pickups. Service of application is personalized. Would use applicant on interchange of interstate shipments.

16. Robert Lee McAfee, Oakland, Assistant Productions Manager, Well-Made Metal Products.

Manufactures and distributes fluorescent light fixtures and galvanized products such as gutters, warm air pipes, downspouts, and conductor pipes. Shipments range from 100 pounds to 1,000 pounds. Approximately 80 percent of its shipments are handled by 6 proprietary vehicles. Has used applicant for the past 10 years as a supplemental service. Gross sales in 1973 amounted to 6 million dollars. Uses applicant for an average of 8 shipments a day. Applicant picks up regularly at 4:00 p.m. and will provide an "on-call" service for emergency shipments. Shipments require special handling. Has had very little damage with applicant. Has used Delta to Sacramento.

17. Dennis Raymond Kemp, San Leandro, Service Manager,
C. B. Van Vorst Co.

Has used applicant for the past 10 months on shipments of mattresses and box springs to points within the proposed area. Shipments average 10,000 pounds. Uses applicant at least twice a week. The service is outstanding. Has used ONC, Delta, DiSalvo, System 99, and PMT, but their services were not very good because pickup equipment arrived after closing hour.

18. Joseph Camicia, San Leandro, Owner, M & H
Truck & Trailer Service.

Manufactures and repairs semitrailers, truck bodies, and refuge bodies. Receives shipments of form channels, hydraulic cylinders, hydraulic pumps, steel grating, fifth wheels, and roll-up rear doors. Shipments originate at Fresno, Gilroy, Lodi, San Jose, Cotati, San Francisco, and Milpitas. Uses applicant on the inbound shipments. Also uses applicant on outbound shipments to points as far north as Sacramento and as far south as Modesto, Salinas, and Monterey. Has used applicant for the past 15 years on an "on-call" basis for approximately 3 shipments a week, which range from 10 pounds to 1,500 pounds. Applicant's service is excellent and would like to see it continued.

19. George Amato, Oakland, General Manager, Continental
Machine Works.

Manufactures special washers. Has shipments ranging from 15 pounds to 2,000 pounds to South San Francisco, Berkeley, Fresno, Stockton, Davis, San Leandro, and Santa Clara. Has used applicant for the past 20 years on an average of two or four times a week. Applicant is like a part of his company. The service is same-day, but overnight to Fresno. Delta was called at the request of a customer on an interstate shipment that was to be interlined and took two days to pick up the shipment. Would use applicant on the interline of interstate shipments if certificated.

20. William T. Neill, Berkeley, Supervisor of Shipping & Receiving, Upright Harvester.

Mechanical grape harvesting and Flying Carpet (construction platforms). Operates plants in Berkeley and Selma. Has shipments of machine parts ranging from 100 pounds to 42,000 pounds moving between plants. Has used applicant for the past year and a half. Applicant provides a same-day service, which is an important factor of the service. Also operates one proprietary vehicle.

PROTESTANT'S CASE

1. Phil J. Baffert, District Sales Manager, Central District, Pacific Motor Trucking Company.

Holds statewide certificate authority for the transportation of intrastate traffic. Within the proposed area holds interstate authority from the Bay Area to Sacramento, on the north, and Salinas and Monterey, on the south, but holds no interstate authority between Sacramento and Fresno. Maintains terminals and operates an extensive fleet of equipment throughout the proposed area. Actively solicits new traffic. Provides a daily overnight service between points covered by the application. Has the capacity to handle additional traffic, particularly from points in the valley to the Bay Area because of an imbalanced load factor. Has served 10 of the companies that appeared on behalf of applicant. PMT is ready, willing, and able to serve all of the companies that appeared for applicant. Has experienced a decrease in the number of shipments handled. If certificated, applicant would further dilute the existing business on both intrastate and interstate traffic.

2. John D. Shire, Salesman, Ted Peters Trucking Company.

Authorized to transport general commodities, with certain exceptions, moving in intrastate, interstate, and foreign commerce between points from Santa Rosa and Roseville, on the north, and San Diego, on the south. Maintains terminals at Gustine, Stockton, and Los Angeles. Operates extensively throughout its certificated area. Approximately 40 percent of its operation is engaged in the transportation of refrigerated traffic moving in mechanically refrigerated equipment, 40 percent of its traffic moves in cargo

containers, and 20 percent consists in the transportation of dry freight. Provides a daily "on-call" service with same-day and overnight delivery. Ardently solicits business. Has an imbalanced load factor with a light movement from valley points to the Bay Area. Has provided service for three of the accounts that appeared for applicant. Is ready, willing, and able to serve all of the companies that supported the application. Certification of applicant would add another carrier to the proposed area, which would dilute the existing traffic and thereby have an adverse financial effect upon the existing carriers.

3. Norman J. Nielsen, Vice President, Nielsen Freight Lines, Inc.

Provides a certificated general commodity service on shipments moving intrastate, interstate, and foreign commerce between points from San Jose, on the south, to Crescent City, on the north. Provides a daily overnight service on truckload and less-than-truckload shipments. Despite an active solicitation program the load factors are not satisfactory. Maintains eight terminals, which are competently staffed and modernly equipped. Operates 350 vehicles and has 196 employees. Has provided service for six of the companies that supported the application. Certification of applicant would have an adverse economic effect because of diversion, particularly of less-than-truckload traffic and interstate traffic. Marin, Napa, and Sonoma Counties are being adequately served by 18 existing carriers. There is an imbalance of traffic, with a light movement from these counties to the Bay Area. During the past few years the volume of business has decreased because increased costs and higher rates have caused many companies to resort to proprietary operations. Any additional dilution would further aggravate the situation.

4. John McSweeney, General Traffic Manager, Delta Lines.

Provides a general commodity, certificated service for shipments moving in intrastate, interstate, and foreign commerce from Redding, on the north, to the Mexican border, on the south. Actively solicits new accounts and additional traffic from existing accounts. Within the proposed area maintains terminals at Marysville, Fresno, Merced, Modesto,

Pittsburgh, Sacramento, Salinas, San Francisco, Santa Clara, Santa Rosa, Stockton, and Visalia. Operates an extensive fleet of equipment including flat-rack trailers and mechanically refrigerated trailers. Operates in excess of 200 schedules daily between its terminals. Provides a daily, overnight service within the proposed area. Shipments are primarily less-than-truckload and average approximately 500 pounds. Operates with an imbalanced load factor. Presently operating equipment within the proposed area with unused capacity that could handle additional traffic. Believes that applicant would dilute the existing traffic if certificated. With the advent of newly certificated carriers in the recent past, there has been a corresponding diversion of traffic, because the new carriers become more aggressive and competitive upon certification. The smaller carriers can offer a more personalized service than the larger carriers and this is attractive to some shippers. Has provided service for seven of the companies that appeared in support of the application. Is ready, willing, and able to serve these accounts as well as for any of the companies that appeared.

Findings

1. Applicant and its predecessor have been operating within the proposed area as a permitted carrier for more than 25 years
2. Commencing with one truck and serving one account in 1946, the operation has grown to the point where it utilizes 75 units of equipment to serve 65 accounts.
3. The service is highly personalized in that shipments are picked up at the shipper's convenience on a scheduled basis, or on an "on-call" basis, or if necessary on an emergency basis. Shipments are usually picked up and delivered on the same piece of equipment, which eliminates terminal handling. In many instances shipments are picked up and delivered the same day. Certain equipment is continuously made available for the handling of shipments in emergency situations.

4. Applicant's personalized service is not only a convenience to its customers, to many of them it is an essential and necessary aspect of their method of doing business.

5. Although protestants are providing satisfactory services within the proposed area for most shippers, their operations do not have the same flexibility as that required by many of the public witnesses and that which applicant demonstrated it is and has been providing.

6. The apprehension expressed by protestants that applicant, upon certification, would constitute a competitive threat and divert traffic appears groundless. Applicant is not a new carrier entering the field for the first time. It has been operating within the proposed area for many years and the diversion anticipated by protestants has already taken place. It is not likely that applicant would divert any substantial amount of additional traffic from protestants. To do so, applicant would necessarily have to adopt protestants' method of using pickup and delivery equipment and working the freight through terminals. To make such a change would reduce, if not destroy, applicant's flexibility and thereby jeopardize an operation that has proven successful for over 25 years.

7. Applicant possesses the necessary equipment, facilities, experience, and financial ability to provide the proposed service.

8. Public convenience and necessity require that applicant be authorized to engage in operations in intrastate commerce as proposed in the application, as amended, and also require that applicant be authorized to engage in operations in interstate and foreign commerce within limits which do not exceed the scope of the intrastate operations authorized by this decision.

9. We find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment.

The Commission concludes that the application, as amended, should be granted as hereinafter set forth.

Applicant is 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. 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

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to City Drayage Co., Inc., a corporation, authorizing it to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code, between the points and over the routes set forth in Appendix A, attached hereto and made a part hereof.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if it accepts the certificate it will be required, among other things, to comply with the safety rules administered by the California Highway Patrol and the insurance requirements of the Commission's General Order No. 100-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and file tariffs, in triplicate, in the Commission's office.
- (c) The tariff filings shall be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and the public, and the

effective date of the tariff filings shall be concurrent with the establishment of the authorized service.

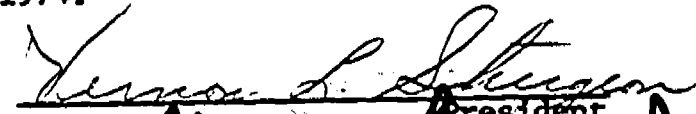



- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80-Series.
- (e) Applicant shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.
- (f) Applicant shall comply with the requirements of the Commission's General Order No. 84-Series for the transportation of collect on delivery shipments. If applicant elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.

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

Dated at San Francisco, California, this 8th day of OCTOBER, 1974.

I dissent.

, Commissioner


President




Commissioners

City Drayage Co., Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to conduct operations as a highway common carrier as defined in Section 213 of the Public Utilities Code for the transportation of general commodities between all points on or within 25 miles of points on the following routes:

1. U.S. Highway 101 between Santa Rosa and Salinas, inclusive;
2. State Highway 17 between San Rafael and Santa Cruz, inclusive;
3. State Highway 1 between Santa Cruz and Monterey, inclusive;
4. Interstate Highway 80 between San Francisco and Sacramento, inclusive;
5. State Highway 4 between its junction with Interstate Highway 80, near Pinole, and Stockton, inclusive;
6. Interstate Highway 580 between Oakland and its junction with Interstate Highway 205 near the Alameda-San Joaquin County Line, inclusive;
7. Interstate Highway 5 between Stockton and its junction with Interstate Highway 205, northeast of Banta, inclusive; and between its junction with Interstate Highway 580 near the San Joaquin-Stanislaus County Line and its junction with State Highway 152, west of Los Banos, inclusive;
8. State Highway 99 between Sacramento and Tulare, inclusive; and
9. State Highway 152 between its junction with Interstate Highway 5, west of Los Banos, and its junction with State Highway 99, near Chowchilla, inclusive.

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In performing the service herein authorized, carrier may make use of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service.

Mechanical duplications and overlaps which occur in describing the operating authority granted herein shall not be construed as conferring more than one operating right to transport the same commodities between the same points.

Except that pursuant to the authority herein granted carrier shall not transport any shipments of:

1. Used household goods and personal effects not securely packed in salesmen's hand sample cases, suitcases, overnight or boston bags, brief cases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums, bags (jute cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton burlap, gunny, fibreboard, or straw matting).
2. Livestock.
3. 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.
4. Commodities when transported in bulk in dump trucks or in hopper-type trucks.
5. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.
6. Logs.
7. Articles of extraordinary value.
8. Automobiles, trucks, buses, and trailer coaches and campers.
9. Cement.
10. Explosives.

(END OF APPENDIX A)

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