

**ORIGINAL**

Decision No. 68293

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Martin Erreca, an individual, doing )  
business as BAKERSFIELD READY-MIX CO., )  
of Bakersfield, for a certificate to )  
operate as a cement carrier )  
(Application No. T-74,694, CMT-G), )  
Kern County, (Filed No. T-74,694). )

Application No. 46399  
(Filed September 30, 1964)

O P I N I O N

By ex parte Resolution No. 13822, Sub. No. 2, dated June 23, 1964, the Commission issued a contract carrier permit to Martin Erreca, although his application filed December 16, 1963 requested a certificate to operate as a cement carrier in the County of Kern.

The permit was limited to subhauling operations only. Applicant failed to attach to his application documentation indicating past operations as a prime carrier. Applicant has subsequently furnished the Commission with sufficient documentation covering past operations as a prime carrier.

After consideration the Commission finds that applicant is entitled to a certificate as a cement carrier in the County of Kern instead of a contract carrier permit. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Martin Erreca authorizing him to operate as a cement carrier as defined in Section 214.1 of the Public Utilities Code,

between the points and subject to the restriction set forth in Appendix A, attached hereto, and made a part hereof.

2. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

(a) 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 he will be required, among other things, to file annual reports of his operations and to comply with and observe the safety rules of the California Highway Patrol and the insurance requirements of the Commission's General Order No. 100-C. 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. 100-C may result in a cancellation of the operating authority granted by this decision.

(b) On or before February 1, 1965, applicant shall file tariffs in triplicate in the Commission's office, said tariffs to comply with the regulations governing the construction and filing of tariffs set forth in General Order No. 117, and to be made effective not earlier than ten days after the effective date of the authority herein granted on not less than ten days' notice to the Commission and the public.

3. Concurrent with the filing of tariffs in compliance with ordering paragraph 2(b) hereof Cement Contract Carrier Permit No. 15-6893 is hereby cancelled.

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

Dated at San Francisco, California, this 30th day of November, 1964.

Fredrick B. Helchoff  
President  
George T. Trover  
William B. Demond  
Commissioners

Martin Erreca, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to operate as a cement carrier from any and all points of origin to all points in the County of Kern, subject to the following restriction:

"Whenever carrier engages other carriers for the transportation of property of Martin Erreca or Bakersfield Ready-Mix Co., or Best Concrete Pipe Co., or customers or suppliers of said individual or companies, carrier shall not pay such other carriers less than 100% of the applicable minimum rates and charges established by the Commission for the transportation actually performed by such other carriers."

Issued by California Public Utilities Commission

Decision No. 68293, Application No. 46399.