

ORIGINAL

Decision No. 68341

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
of ARTHUR MILANO (MILANO TRUCKING
COMPANY), of Willowbrook, California,
for a permit to operate as a Cement
Contract Carrier (Application
No. 19-57241-CC), Riverside, Los
Angeles, et al., Counties.

(File No. T-11,622).

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) Application No. 46126
(Filed December 31, 1963)
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Arthur Milano and Ray Uyeshima, for applicant.

Russell and Schureman, by R. Y. Schureman, for six cement carriers^{1/}; James J. Trabucco, for Southern Pacific Company and Pacific Electric Railway Company; O'Melveny and Myers, by Lauren M. Wright, for American Cement Corporation and George H. Roe, for California Portland Cement Co., protestants.

C. R. Boyer and G. B. Shannon, for Southwestern Portland Cement Co., interested party.

H. L. Farmer, for the Commission staff.

O P I N I O N

A. Milano, doing business as Milano Trucking Co. seeks a permit as a cement contract carrier in Riverside, Los Angeles, San Bernardino, Orange, Kern, Ventura, Santa Barbara and Imperial Counties.

Public hearing was held before Examiner Power at Los Angeles on October 19, 1964 and the matter was submitted.

Milano testified for himself and it developed that he had been in cement hauling for a great many years and, inadvertently, he had failed to file this application on the correct form. He had also filed one day late.

^{1/} Max Binswanger Trucking, Matich Transportation Co., Daniel Lohnes Trucking Company, Valley Transportation Company, Phillips Trucking, and More Truck Lines.

Documents that applicant brought with him indicated that had he filed in time, and on the correct form, he would have been entitled to a grandfather permit. This would have entitled him to sub-haul cement into and within Los Angeles and Orange Counties. When applicant proved agreeable to restricting his application to the transportation shown by the documents, all the protests were withdrawn.

Applicant owns and operates 20 units of equipment in safe workable condition and maintains his headquarters in Willowbrook. As of November 30, 1963 he indicated a net worth of \$91,912.32.

After consideration the Commission finds:

1. Applicant possesses the ability and financial responsibility to provide the proposed operations.

2. The proposed operations will not endanger the safety of the public nor interfere with the public use of the highways or impair the condition or maintenance of them directly or indirectly.

3. The proposed operations will not impair the service of previously certificated cement carriers or permitted cement contract carriers.

4. Applicant is a fit and proper person to receive such a permit to operate as a cement contract carrier limited to subhauling only.

O R D E R

IT IS ORDERED that the Secretary of the Commission shall issue a cement contract carrier permit to Arthur Milano containing the following restriction:

"Independent contractor sub-haul operations only from all points of origin to all points and places in the Counties of Los Angeles and Orange."

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

Dated at San Francisco, California, this 15th day of DECEMBER, 1964.

Fredrick B. Hallock
President
George J. Foster
William L. Sevier
Commissioners