

Decision No. 69079**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
 JAMES RAY SHUFFIELD, an individual,  
 of Torrance, California, for a permit  
 to operate as a Cement Contract Carrier  
 (Application No. 19-57148-CC), Lucerne  
 Valley, Mojave, et al, (File  
 No. T-77,405).

Application No. 46121  
 (Filed December 6, 1963)

James R. Shuffield, in propria persona.

James J. Trabucco, for Southern Pacific Company and  
 Pacific Electric Railway Company; Russell &  
 Schureman, by R. Y. Schureman, for Max Binswanger  
 Trucking, Matich Transportation Co., Daniel Lohnes  
 Trucking Co., Valley Transportation Co., Phillips  
 Trucking, Joshua Desert Service, Inc., and More  
 Truck Lines, protestants.

Wallace K. Downey, for California Portland Cement  
 Company; G. B. Shannon and C. R. Boyer, for  
 Southwestern Portland Cement Company; Lauren M.  
 Wright of O'Melveny & Myers, for American Cement  
 Corporation; Joseph T. Enright, of Enright,  
 Elliott & Betz, Waldo A. Gillette and E. R.  
 Rhodes, for Monolith Portland Cement Company;  
 interested parties.

### O P I N I O N

James R. Shuffield requests a permit to operate as a cement contract carrier.

A public hearing was held at Los Angeles before Examiner Porter on February 27, 1964, and the matter was submitted.

Applicant owns one tractor and two trailers. As of December 1, 1963, he indicated a net worth in the amount of \$11,790.

Applicant acquired his equipment from Green Ready Mix on December 1, 1963. Applicant operated the equipment, prior to the purchase, for Green Ready Mix. The equipment has not been used to haul cement since its purchase. According to applicant, Green Ready Mix indicates it will use applicant for future cement transportation needs.

Protestants presented evidence that their companies have sufficient equipment and facilities to provide the service herein requested to be authorized and that the granting of additional cement contract carrier permits would result in a diversion of traffic and thus have an adverse effect upon their companies' operations.

The Commission finds that the granting of this application for a cement contract carrier permit would impair the service of previously certificated cement carriers and permitted cement contract carriers.

We conclude that the application should be denied.

ORDER

IT IS ORDERED that Application No. 46121 is denied.

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

Dated at Los Angeles, California, this 18<sup>th</sup> day of May, 1965.

Fredrick B. Hallock  
President

George L. Traver  
Commissioners

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Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.