

Decision No. 69080**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 SUL TRUCKING, INC., a corporation, of
 Sherman Oaks, California, for a
 permit to operate as a cement contract
 carrier (Application No. 19-57193-CC),
 in Mojave, Victorville, et al.
 File No. T-77,461).

Application No. 46122
 (Filed December 16, 1963;
 Amended March 9, 1964)

Karl K. Roos, for applicant.

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

David Graham, for Permanente Cement Company; G. B.
Shannon and C. R. Boyer, for Southwestern
 Portland Cement Company; William Mitze, for
 Riverside Cement Company, Division of American
 Cement Corporation; Joseph T. Enright of
 Enright, Elliott and Betz, and Waldo A. Gillette
 and E. R. Rhodes, for Monolith Portland Cement
 Company; Wallace K. Downey, for California
 Portland Cement Company; Donald Murchison, in
 his own behalf; and O'Melveny & Myers, by Lauren
M. Wright, for American Cement Corporation,
 Interested parties.

O P I N I O N

Applicant requests a permit to operate as a cement contract carrier.

Public hearings were held at Los Angeles before Examiner Porter on March 10 and 20, 1964, and the matter was submitted subject to the filing of briefs. Briefs having been filed, the matter is now ready for decision.

Applicant owns six trailers which it leases. As of December 10, 1963, applicant indicated a net worth in the amount of \$5,031.81.

Applicant presently is in the business of leasing trailers. If the application were granted applicant would utilize these trailers and lease a tractor and would lease additional equipment if the volume of business should so require.

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.

O R D E R

IT IS ORDERED that Application No. 46122 is denied.

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

Dated at Los Angeles, California, this 18th day of May, 1965.

Frederick B. Holdcroft President
George L. Trover
Augusta
Commissioners

-2- Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.