

Decision No. 77130

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
J. E. BREWER, an individual doing)
business as J. E. BREWER TRUCKING,)
of Clovis, California, for a permit)
to operate as a dump truck carrier,)
statewide. (File No. T-83,901))

Application No. 51606
(Filed December 16, 1969)

Robert B. Robbins, for applicant.
E. O. Blackman, for California Dump Truck
Owners Association, and Ralph Grago, for
Association of Independent Owner Operators,
Inc., interested parties.
James Diani, for the Commission staff.

O P I N I O N

J. E. Brewer, doing business as J. E. Brewer Trucking, of Clovis requests a permit to operate as a dump truck carrier on a statewide basis.

A public hearing was held before Examiner Daly on April 8, 1970, at Fresno, and the matter was submitted.

Applicant has heretofore conducted a dump truck operation pursuant to a radial permit and in accordance with the grandfather provision of Section 3612 of the Public Utilities Code would have been entitled to a dump truck carrier permit; however, because of certain confusion relating to his insurance coverage, applicant's radial permit was revoked on October 15, 1969.

The record demonstrates that the insurance problem was of a clerical nature and a matter of inadvertence, which was not the fault of applicant. The Commission therefore finds that applicant has qualified for a dump truck carrier permit in accordance with the grandfather provision of Section 3612 of the Public Utilities Code.

O R D E R

IT IS ORDERED that the Secretary of the Commission is directed to issue to J. E. Brewer a permit to operate as a dump truck carrier.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 21st day of APRIL, 1970.

Augustus
President
J. P. Williams
James L. Sturgeon
Commissioners

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