

Decision No. 79573

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
LITTLE IRISH TRUCKING COMPANY, INC., )  
a corporation, of Firebaugh, for a )  
permit to operate as a Radial High- )  
way Common Carrier, for the trans- )  
portation of lumber, produce, et al., )  
within 350 mile radius of Firebaugh, )  
(File No. T-98, 631 (10). )

Application No. 52770  
(Filed June 30, 1971)

William H. Kessler, Attorney at Law, for  
applicant.  
William Almeida, for Mammoth Freight Lines,  
Inc., interested party.  
T. H. Peceimer, for the Commission staff.

O P I N I O N

Applicant applied for a radial highway common carrier permit on June 30, 1971. The Commission staff advised that applicant's president owed \$5,064 in fines, penalties and fees from prior transportation operations under his own name. A hearing was recommended and held on August 17, 1971, in Fresno. An officer of applicant corporation testified that the president of applicant was appointed to manage the business because of his experience in trucking and transportation; also that no one in the corporation knew of his record before this Commission. The matter was submitted on the receipt of late-filed exhibits. Subsequent to the hearing a criminal complaint was filed in Fresno County by a staff representative in which it was alleged that applicant's president had engaged in an unlawful trucking operation on July 29 and August 17, 1971, in violation of Section 3571 of the Public Utilities Code.

Applicant retained counsel who requested that submission be set aside and a further hearing scheduled. The staff did not object and submission was set aside. The further hearing was held on October 19, 1971 in Fresno, before Examiner Fraser.

Applicant's sole stockholder testified its former president has been removed from the board of directors and is no longer one of applicant's employees. He advised applicant's name will be changed to avoid any connection with its former president. He stated applicant already has new directors and a new policy. He further testified that he owns two trucks which were leased to the applicant and used by the former president without the knowledge or permission of the other directors. These vehicles were temporarily concealed and finally returned after the former president was warned he might be charged with grand theft; the trucks have been parked since returned to applicant's custody and will not be used until proper operating authority has been obtained. He advised he will provide any financial help required by applicant; a financial statement was placed in evidence as Exhibit No. 1. After submission a certified copy of the certificate changing applicant's name to "Nadir Trucking Company" was received from the California Secretary of State.

We find that Nadir Trucking Company has established financial responsibility and that a permit to operate as a radial highway common carrier should be granted to Nadir Trucking Company.

O R D E R

IT IS ORDERED that the Secretary of the Commission shall cause to be issued to Nadir Trucking Company a permit to operate as a radial highway common carrier, for the transportation of lumber,

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produce, et al., within a 350 mile radius of Firebaugh, California.

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

Dated at San Francisco, California, this 11<sup>th</sup>  
day of JANUARY, 1972.

[Signature]  
Chairman  
[Signature]  
[Signature]  
[Signature]  
Commissioners