

ALJ/md

Decision S4 04 057

APR 1 8 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
DIAMONDBACK EXPRESS, INC., for author-
ity to obtain a dump truck carrier
permit to operate in San Bernardino
County.

Application 84-02-03
(Filed February 3, 1984)

O P I N I O N

Diamondback Express, Inc. (applicant) was incorporated in California on December 9, 1980. Applicant's Articles of Incorporation were amended April 8, 1981 and are already on file in T-134,272.

It has applied herein for a dump truck carrier permit to authorize operation in San Bernardino County. Notice of the filing of the application appeared in the Daily Transportation Calendar on February 7, 1984. No protests have been filed.

Applicant will be transporting sand in a power unit and an end dump trailer with a power lift. It will not engage subhaulers or lease equipment from employees.

Applicant was qualified to transact business in the State of California on the date this application was filed and is presently so qualified. It also holds a highway contract carrier permit and two cement carrier certificates.

Certificates supporting the application were filed by Rialto Fence Company and Lifetile, Inc., of Rialto, California. Each requires the shipment of sand and their requirement total more than 140,000 tons annually.

Applicant's balance sheet dated November 1, 1983, lists assets of \$58,140, liabilities of \$36,000, and a net worth of \$22,140.

Findings of Fact

1. Applicant:

- a. Is a fit and proper corporation to receive a permit to operate as a dump truck carrier.
- b. Has sufficient operating knowledge and financial ability to initiate and continue the proposed operation.
- c. Has demonstrated that the privilege sought:
 - (1) Will not endanger the safety of the public or interfere with the public use of the public highways or impair the condition or maintenance of them, directly or indirectly.
 - (2) Will not unnecessarily burden the public highways.
 - (3) Is necessary to serve the public and will not impair the ability of presently permitted dump truck carriers to provide adequate service at the lowest possible reasonable rates.

2. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

3. The following order complies with the Commission's Energy Efficiency Plan.

4. A public hearing is not necessary.

Conclusions of Law

1. Applicant should be granted a dump truck carrier permit authorizing operations within and between points in San Bernardino County.

2. The following order should be effective today to be consistent with other permits.

O R D E R

IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to Diamondback Express, Inc., a California corporation, authorizing operations within and between points in San Bernardino County, upon compliance with General Order Series 100.

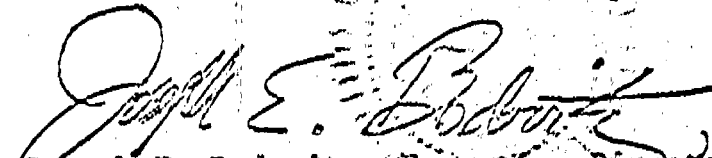
This order is effective today.

Dated APR 18 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director