

Decision 84-09-059 September 6, 1984

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of }  
Joseph H. Coulter, Jr., doing }  
business as Joe Coulter Trucking, for }  
authority to obtain a dump truck }  
carrier permit to operate in the area }  
of the State of California. }

Application 84-06-053  
(Filed June 5, 1984)

O P I N I O N

The heading of this application is in error. Joseph H. Coulter, Jr. (applicant) did not request a new dump truck carrier permit. He filed an application to transfer a dump truck carrier permit from Gene F. Camp (T-137,676) to himself. This transfer will be handled administratively by License Section of Transportation Division.

Applicant, an individual doing business as Joe Coulter Trucking out of a terminal in Chico (Butte County), has also applied for a cement contract carrier permit to authorize operation from all points in the State of California to the Counties of Butte, Tehama, Colusa, and Glenn. Notice of the filing for a new dump truck carrier permit appeared in the Commission's Daily Transportation Calendar on June 20, 1984. Notice correcting the error and showing the proper filing for a cement contract carrier permit appeared in the Daily Transportation Calendar on July 13, 1984.

A protest was filed on August 21, 1984 by Raymond E. Skaggs more than 30 days after the corrected notice of the filing of the application appeared in the Commission's Daily Transportation Calendar. The protest was filed too late and is therefore denied (Rule 8.3 of Rules of Practice and Procedure).

Applicant has held no prior authority from this Commission. He will be transporting bulk cement in a power unit and pull trailer. He will not engage subhaulers or lease equipment from employees.

Applicant has resided in the State of California continuously for 90 days preceding the filing of this application.

A certificate in support of the application was filed by Willows Ready Mix Cement Co., Inc. of Willows, wherein it is stated that applicant will be employed to transport bulk cement from all points in the State of California to the Counties of Butte, Tehama, Colusa, and Glenn.

Applicant's balance sheet dated May 30, 1984 lists assets of \$146,000, liabilities of \$32,000, and a net worth of \$114,000.

Findings of Fact

1. Applicant:

- a. Is a fit and proper person to receive a permit to operate as a cement contract 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 cement contract carriers to provide adequate service at the lowest possible reasonable rates.

2. Applicant has resided in the State of California for at least the 90 days preceding the filing of this application.

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

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

5. A public hearing is not necessary.

Conclusions of Law

1. Applicant should be granted a cement contract carrier permit authorizing operations from all points in the State of California to the Counties of Butte, Tehama, Colusa, and Glenn.
2. The following order should be effective today to be consistent with other permit grants.

O R D E R

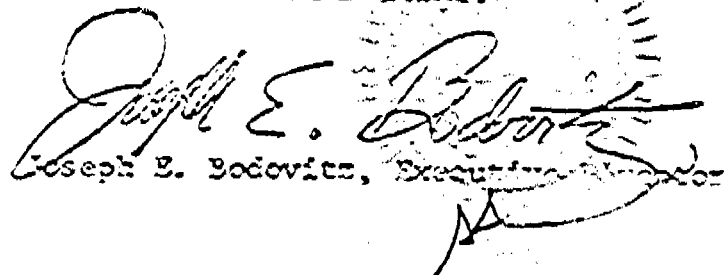
IT IS ORDERED that the Executive Director shall issue a cement contract carrier permit to Joseph H. Coulter, Jr., authorizing operations from all points in the State of California to the Counties of Butte, Tehama, Colusa, and Glenn upon compliance with General Order Series 100.

This order is effective today.

Dated SEP 6 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
PRISCILLA C. GREN  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director

Decision 84 C9 059

SEP 6 1984

~~CONFIDENTIAL~~

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