

ORIGINAL

Decision S4 09 100 SEP 19 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of
Carl Mims doing business as Mims
Transport Service for authority to
obtain a Dump Truck Carrier Permit to
operate in the counties of Los Angeles,
Sonoma, and Lake.

Application 84-06-039
(Filed June 7, 1984)

O P I N I O N

Carl Mims, (dba Mims Transport Service) requests a dump truck carrier permit to operate in the Counties of Los Angeles, Sonoma, and Lake. Notice of the filing of the application appeared in the Daily Transportation Calendar of June 18, 1984. No protests have been filed.

Discussion

Applicant owns a tractor. His application is supported by a prime carrier and a contractor who will need a total of \$90,000 worth of transportation in Los Angeles County in the first year of operations. The application is not supported for operations in the Counties of Sonoma and Lake. Applicant claims a net worth of \$173,000.

Findings of Fact

1. Applicant:
 - a. Is a fit and proper person 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. 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.

6. Shipper support was furnished for operations in Los Angeles County, but not for the Counties of Sonoma or Lake.

Conclusions of Law

1. The application should be granted in part, authorizing operations as a dump truck carrier within Los Angeles County.

2. To the extent that authority was requested to operate as a dump truck carrier within and between points in the Counties of Sonoma and Lake, the application should be denied.

3. The following order should be effective today to be consistent with other permit grants.

C R D E R

IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to Carl Mims, authorizing operations within and between points in Los Angeles County, upon compliance with General Order Series 100. The application, to the extent it requests authority to serve the counties of Sonoma and Lake, is denied without prejudice.

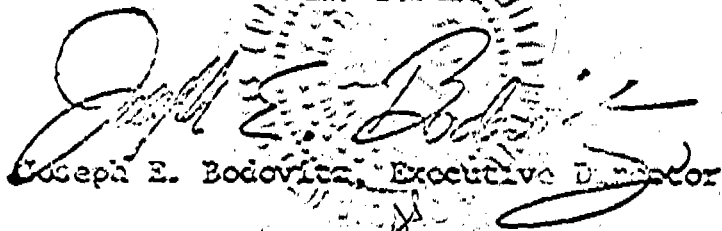
This order is effective today.

Dated September 19, 1984, at San Francisco, California.

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

Commissioner William T. Bagley,
being necessarily absent, did not
participate.

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


Joseph E. Bodovitz, Executive Director