

Decision 84 10 067

OCT 17 1984

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Michael A. Epidendio doing business )  
as Epidendio Construction for )  
authority to obtain a dump truck )  
carrier permit to operate in the )  
counties of Lake, Mendocino, Sonoma, )  
Humboldt, Yolo, Napa, Solano, and )  
Marin. )

Application 84-07-098  
(Filed July 26, 1984)

O P I N I O N

Applicant Michael A. Epidendio, an individual, requests a dump truck carrier permit to operate within and between the Counties of Lake, Mendocino, Sonoma, Humboldt, Yolo, Napa, Solano, and Marin. Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar of August 6, 1984. No protests to the application have been received.

Applicant has resided within the State of California continuously for not less than 90 days next preceding the filing of this application. Applicant's fleet consists of four end dump trucks, one tractor, and one end dump truck trailer. The balance sheet attached to the application shows that as of June 30, 1984 applicant had a net worth of approximately \$240,662.

Applicant estimates that his total working capital requirement for the first 45 days of the proposed operation will be \$5,046 and that his total available cash and/or liquid assets readily convertible to cash is \$34,459. A letter attached to the application from Westamerica Bank at Clearlake confirms that applicant has on deposit with that bank approximately \$17,128. Applicant's expected profit, before taxes, for the first 90 days into the proposed operation is \$3,132.

The application states that applicant will not lease equipment from employees nor employ subhaulers.

The application contains three certificates from shippers in support of the application.

The first certificate was furnished by Hidden Valley Sand & Gravel, of Middletown, which shows that it expects to use applicant to transport sand, fill, base, and drain rock between points in Lake, Sonoma, Napa, Mendocino, Yolo, and Humboldt Counties and employ applicant's equipment each week of the year for a total of 120 hours during applicant's first year of operation.

The second certificate was furnished by Maggiora & Ghilotti, Inc., of San Rafael, which shows that it expects to use applicant to transport rock, fill dirt, sand, and base rock between points in Marin and Solano Counties and use applicant's equipment a total of 90 days during applicant's first year of operation.

The third certificate was furnished by Hitchcock Bros. Cinders, Inc., of Lower Lake, which shows that it expects to use applicant to transport sand, fill, base rock, and drain between Lake, Sonoma, Napa, Mendocino, Yolo, and Humboldt Counties and employ applicant's equipment each week for a total of 120 hours during applicant's first year of operation.

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.

Conclusions of Law

1. Applicant should be granted a dump truck carrier permit authorizing operations within and between points in the Counties of Lake, Mendocino, Sonoma, Humboldt, Yolo, Napa, Solano, and Marin.
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 dump truck carrier permit to Michael A. Epidendio, authorizing operations within and between points in the Counties of Lake, Mendocino, Sonoma, Humboldt, Yolo, Napa, Solano, and Marin upon compliance with General Order Series 100.

This order is effective today.

Dated OCT 17 1984, at San Francisco, California.

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