

Decision 84 11 092

NOV 21 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Jerald Odis Fouse doing business as
Odis Fouse Trucking for authority to
obtain a dump truck carrier permit to
operate in the counties of Imperial,
Riverside, and San Diego.

Application 84-06-047
(Filed June 11, 1984)

O P I N I O N

Jerald Odis Fouse requests a dump truck carrier permit to operate in the Counties of Imperial, Riverside, and San Diego. Notice of the filing of the application appeared in the Daily Transportation Calendar of June 20, 1984. No protests have been filed.

Applicant holds a Highway Contract Carrier Permit issued by the Commission (File T-144,121). He owns one power unit and one trailer. As of June 11, 1984, applicant had a net worth of \$99,162. Applicant has executed a declaration under penalty of perjury certifying that he has been a resident of California for not less than 90 days preceding the filing of this application.

Tierra Tile, Inc. filed a certification indicating it would use applicant's proposed service, if the application is granted, for shipments in each of the counties for which authority is sought.

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 Imperial, Riverside, and San Diego.

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 Jerald Odis Fouse, authorizing operations within and between points in the Counties of Imperial, Riverside, and San Diego upon compliance with General Order Series 100.

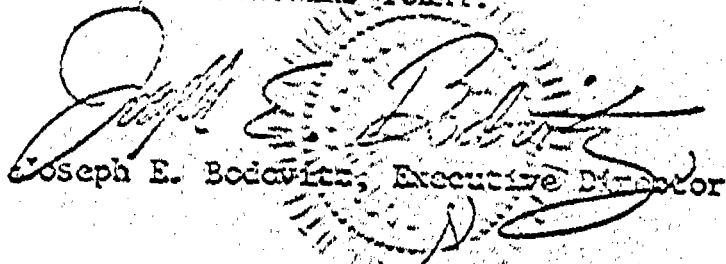
This order is effective today.

Dated NOV 21 1984, at San Francisco, California.

FRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

Commissioner Victor Calvo,
being necessarily absent, did
not participate

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


Joseph E. Bodavitt, Executive Director