

SEP, 3 1992

Decision 92-09-018 September 2, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Lyman's Ready-Mixed  
 Concrete, Inc. for a Cement  
 Contract Carrier Permit to operate  
 between origin plants of Mitsubishi  
 Cement Corp. (shipper) and  
 destinations within Imperial County  
 of Tarmac California, Inc.  
 (consignee).

Application 92-03-011  
 (Filed March 10, 1992)

O P I N I O N

Lyman's Ready-Mixed Concrete, Inc., a California corporation, applies for a cement contract carrier permit. Applicant proposes to operate between origin plants of Mitsubishi Cement Corp. (shipper) and destinations within Imperial County of Tarmac California, Inc. (consignee).

Attached to its application are: report of equipment to be operated, certification that no hazardous materials and/or hazardous wastes will be transported, description of applicant's safety education and training program, requester code number, description of general safety committee, safety rules, vehicle repair and maintenance summaries, and restated articles of incorporation.

The application is supported by shipper, alleging that 10,000 tons of cement will be shipped or received in the first year of operations having an approximate value of \$157,000.

A balance sheet appended to the application shows total assets of \$3,372,148 and net worth of \$1,273,440 as of September 30, 1991.

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar of March 12, 1992. No protests have been received.

Transportation Division's Advice of Participation states as follows:

"The Analyst Unit staff has reviewed the application and believes it is one which, in the absence of protest, may be granted by ex parte order, providing that the applicant has complied fully with General Order 100-L.

"The applicant has already complied with the vehicle code and with regulations contained in Title 13 of the California Code of Regulations relative to motor vehicle safety."

Findings of Fact

1. Applicant is a fit and proper person to receive a permit as a cement contract carrier and possesses sufficient operating knowledge and financial ability to perform the proposed operation.

2. Applicant's equipment will not endanger the safety of highways or impair the conditions or maintenance of them either directly or indirectly.

3. Applicant's proposed operation will not unnecessarily burden the public highways, is necessary to serve the public, and will not impair the ability of presently certificated cement carriers or permitted cement contract carriers to provide adequate service at the lowest possible reasonable rates.

4. Applicant complies with Section 3553 of the Public Utilities Code.

Conclusions of Law

1. Applicant should be granted a cement contract carrier permit.

2. A public hearing is not necessary.

3. Since no one has protested the application and it appears applicant desires to commence service as soon as possible, the decision should be effective on the date of the signature.

O R D E R

IT IS ORDERED that the Executive Director shall issue a cement contract carrier permit to Lyman's Ready-Mixed Concrete, Inc., authorizing operations from any and all points of origin within the State to and within points in the County of Imperial, solely for the account of Tarmac California, Inc.

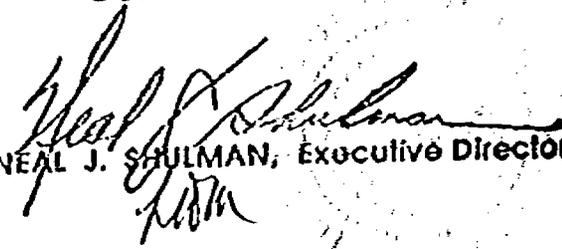
This order is effective today.

Dated September 2, 1992, at San Francisco, California.

DANIEL Wm. FESSLER  
President  
JOHN B. OHANIAN  
NORMAN D. SHUMWAY  
Commissioners

Commissioner Patricia M. Eckert,  
being necessarily absent, did  
not participate.

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

  
NEAL J. SHULMAN, Executive Director