

Decision SZ 08 106 AUG 18 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Thomas James Aviles, doing business as)
Thomas Trucking, to obtain a dump)
truck carrier permit to operate in the)
Counties of Butte, Glenn, Tehama,)
Colusa, Mendocino, Plumas, Sutter,)
Yuba, and Shasta.)

Application 82-04-48
(Filed April 23, 1982)

O P I N I O N

Thomas James Aviles, doing business as Thomas Trucking, has requested a permit as a dump truck carrier to operate in the Counties of Butte, Glenn, Tehama, Colusa, Mendocino, Plumas, Sutter, Yuba, and Shasta.

Copies of the application were served on California Carriers Association, California Dump Truck Owners' Association, California Trucking Association, Highway Carriers Association, Associated Independent Owner-Operators, Inc., Southern California Rock Products Association, Aggregates & Concrete Association of Northern California, Inc., Associated General Contractors, California Asphalt Pavement Association, and Engineering & Grading Contractors Association, Inc. Notice of filing of the application also appeared on the Commission's Daily Calendar of April 27, 1982. No protests have been received.

The application is supported by a shipper who claims he needs 1,500 hours of dump truck service per year; this would generate approximately \$63,000 of revenue, if all of the traffic were channeled to applicant. The chipper stated that he intends to use applicant's service.

Applicant claims to have total assets of \$189,000 with a net worth of \$99,000. His assets include a paid-for power unit worth \$3,500 and a trailer (not valued). He estimates that he will realize a gross income of \$15,750 and a net of \$13,162 in a typical quarter-year's operations.

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 with 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 permit authorizing operations within and between points in the Counties of Butte, Glenn, Tehama, Colusa, Mendocino, Plumas, Sutter, Yuba, and Shasta.
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 Thomas James Aviles, doing business as Thomas Trucking, authorizing operations within and between points in the Counties of Butte, Glenn, Tehama, Colusa, Mendocino, Plumas, Sutter, Yuba, and Shasta upon compliance with General Order Series 100.

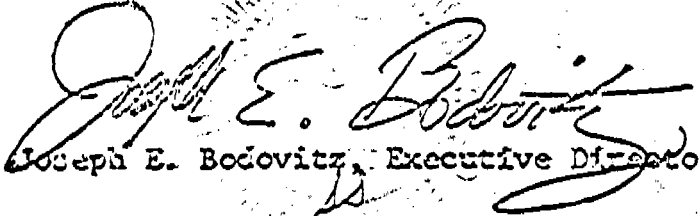
This order is effective today.

Dated AUG 18 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
Commissioners

Commissioner Priscilla C. Crow,
being necessarily absent, did
not participate

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


Joseph E. Bodovitz, Executive Director

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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 with 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.

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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.

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