

Decision 82 09 075 SEP 22 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Otto Arturo Spencer Lugo and Robert)
Taylor doing business as A and B)
Trucking Company for a dump truck)
carrier permit to operate within 50 air)
miles from the city limits of Los)
Angeles in the counties of Los Angeles,)
Orange, Riverside, and San Bernardino.)

Application 82-06-37
(Filed June 16, 1982)

O P I N I O N

Otto Arturo Spencer Lugo and Robert Taylor, copartners doing business as A and B Trucking Company, have requested a permit as a dump truck carrier to operate in the Counties of Los Angeles, Orange, Riverside, and San Bernardino.

Copies of the application were served on Aggregates & Concrete Association, Associated Independent Owner-Operators, Inc., California Asphalt Pavement Association, California Carriers Association, California Dump Truck Owners Association, Highway Carriers' Association, Southern California Rock Products Association, Associated General Contractors, California Trucking Association, and Engineering & Grading Contractors Association. Notice of filing of the application also appeared on the Commission's Daily Calendar of June 17, 1982. No protests have been received.

Discussion

The partners own a tractor and two trailers. They claim a partnership net worth of \$172,500 including \$8,000 cash; the vehicles are carried at a value of \$14,000. The application is supported by two shippers who claim to need \$60,000 and \$40,000 worth of dump truck service per year, respectively. Applicants expect expenses to total \$43,000 per year. Applicants presently hold no highway carrier operating authority from this Commission. ✓

Findings of Fact

1. Applicants:

- a. Are fit and proper persons to receive a permit to operate as a dump truck carrier.
- b. Have sufficient operating knowledge and financial ability to initiate and continue the proposed operation.
- c. Have 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. Applicants have 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. Applicants should be granted a dump truck carrier permit authorizing operations within and between points in the Counties of Los Angeles, Orange, Riverside, and San Bernardino.
2. The following order should be effective today to be consistent with other permit grants.

O R D E R

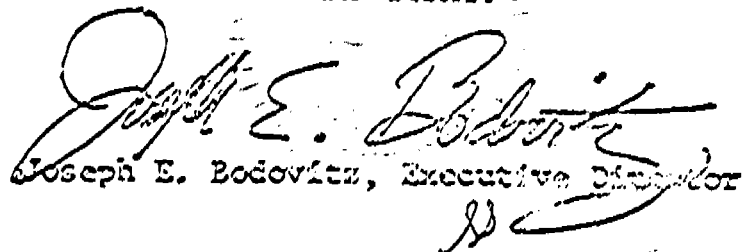
IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to Otto Arturo Spencer Lugo and Robert Taylor, a partnership, authorizing operations within and between points in the Counties of Los Angeles, Orange, Riverside, and San Bernardino upon compliance with General Order Series 100.

This order is effective today.

Dated SEP 22 1982, at San Francisco, California.

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

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


Joseph E. Bodovitz, Executive Director

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