

Decision S2 12 020 DEC 1 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Rushway, Inc., for permission to
obtain a dump truck carrier permit to
operate intrastate.

} Application 82-05-45
} (Filed May 18, 1982)

O P I N I O N

Rushway, Inc., a California corporation, has requested a permit to operate as a dump truck carrier in the Counties of Sutter and Placer.

Copies of the application were served on Aggregates & Concrete Association, Associated Independent Owner-Operators, Inc., California Asphalt Pavement Association, California Carriers Association, MTTDC, California Dump Truck Owners' Association, California Trucking Association, Highway Carriers Association, and Southern California Rock Products Association. Notice of filing of the application also appeared on the Commission's Daily Calendar of May 20, 1982. No protests have been received.

Applicant operates six pieces of power equipment including three dromedaries and a van. It also operates 12 pieces of trailing equipment. It has assets of nearly \$600,000 including \$66,000 cash. Its equipment is valued at over \$200,000. It holds authority as a highway contract, a heavy specialized, and an agricultural carrier (T-137,852). Its application is supported by a single shipper who needs transportation of 120 truckloads per year.

Findings of Fact

1. Applicant:
 - a. Is a fit and proper entity 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 is qualified to do business in California.
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 Sutter and Placer.

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 Rushway, Inc., a California corporation, authorizing operations within and between points in the Counties of Sutter and Placer upon compliance with General Order Series 100.

This order is effective today.

Dated DEC 1 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 THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director