

ORIGINALDecision 83 05 030 MAY 18 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 William Francis Ferry, Jr., doing)
 business as Ferry Cement Transport)
 Inc., for authority to acquire a) Application 83-03-28
 Dump Truck Carrier Permit to) (Filed March 11, 1983)
 operate in the Counties of Kern,)
 San Bernardino, Los Angeles, and)
 Imperial.)

O P I N I O N

Ferry Cement Transport Inc. requests a dump truck carrier permit to operate in the Counties of Orange, Riverside, San Diego, Kern, San Bernardino, Los Angeles, and Imperial. Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar of March 15, 1983. No protests have been filed.

Discussion

Applicant's assets approximate \$80,000. Its tractor and two trailers are carried at a value of \$72,000. It has slightly less than \$4,000 in cash. Its net worth is \$25,000; the major liability is the balance due on equipment, approximately \$50,000. Its application is supported by two shippers. One will need \$35,000 worth of transportation between Imperial, Los Angeles, and Kern Counties. Another will need \$25,000 worth of transportation in Los Angeles, San Bernardino, and Kern Counties. Because the applicant failed to indicate shipper support for transportation services in Orange, Riverside, or San Diego Counties, such transportation will not be authorized.

Findings of Fact

1. Applicant:

- a. Is a fit and proper corporation 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. Applicant is a California corporation.

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.

6. Applicant is affiliated with Glendale Ready Mix Concrete, Inc. and its operating authority should be conditioned to prohibit the use of subhaulers at less than minimum rates.

Conclusions of Law

1. Applicant should be granted a dump truck carrier permit authorizing operations within and between points in the Counties of Kern, San Bernardino, Los Angeles, and Imperial.

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 Ferry Cement Transport Inc., authorizing operations within and between points in the Counties of Kern, San Bernardino, Los Angeles, and Imperial upon compliance with General Order Series 100. The permit shall provide that when subhaulers are engaged for the transportation of property of affiliates, they shall be paid no less than 100% of the applicable tariff rates and charges.

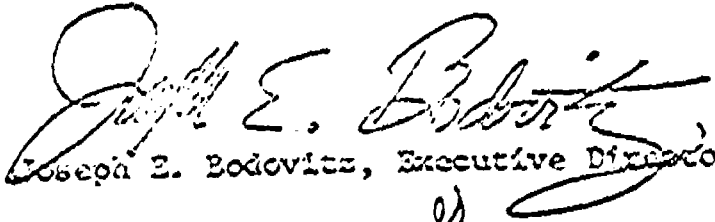
This order is effective today.

Dated MAY 18 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

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


Joseph E. Bodoviaz, Executive Director