

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Robert V. Haram, doing business as
Bob Haram Trucking, for a dump truck
carrier permit to operate in Marin,
Sonoma, and Contra Costa Counties.

Application 82-12-64
(Filed December 29, 1982)

O P I N I O N

Robert V. Haram, doing business as Bob Haram Trucking, requests a dump truck carrier permit to operate in the Counties of Marin, Sonoma, and Contra Costa. Notice of the filing of the application appeared in the Daily Transportation Calendar of January 4, 1983. No protests have been filed.

Discussion

Applicant previously held dump truck authority (T-76,266). It was suspended and then revoked for failure to pay a past-due quarterly fee. Applicant has since applied for, and has been granted, a highway contract carrier permit.

Applicant has paid a civil penalty of \$2,500 to settle an action against him for operating after the previous revocation. (People v Haram, No. 111198, Marin Sup. Ct.)

There is in the record a letter received March 16, 1983 from applicant's accountant indicating that the failure to pay the quarterly fee and unauthorized operation after revocation were not due to knowing, wilful, or negligent conduct by applicant, but rather to an acknowledged oversight by the accountant. Based on the mitigating circumstances alleged in the letter, applicant is a fit person to hold a permit. Also as applicant was long-established in business, granting a new permit to applicant would not have an adverse effect on other carriers or impair the state's highways.

However, since there is shipper support only for Marin and Sonoma Counties, no authority for Contra Costa operations will be granted at this time.

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 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 carrier permit authorizing operations within and between points in the Counties of Marin and Sonoma.

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 Robert V. Haram, authorizing operations within and between points in the Counties of Marin and Sonoma upon compliance with General Order Series 100.

This order is effective today.

Dated JUN 29 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO

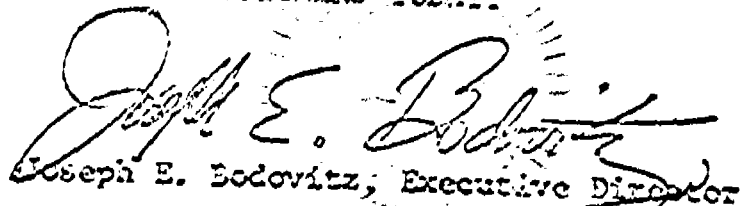
PRISCILLA C. GREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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


Joseph E. Bodovitz, Executive Director