

Decision 83 07 026 JUL 20 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Gary Albert Yates, doing business as Gary Yates Excavating, for authority to obtain a dump truck carrier permit to operate in the Counties of Colusa, Glenn, Lake, Yolo, and Sutter.

Application 83-04-22
(Filed April 11, 1983)

O P I N I O N

Gary Albert Yates, an individual doing business as Gary Yates Excavating, requests a dump truck carrier permit to operate in the Counties of Colusa, Glenn, Lake, Yolo, and Sutter. Notice of the filing of the application appeared in the Daily Transportation Calendar of April 14, 1983. No protests have been filed.

Discussion

Applicant owns a dump truck. He claims a net worth of \$390,000 and has \$13,000 in cash. He has never held operating authority as an intrastate carrier of freight. His application is supported by a shipper who will need dump truck transportation in the counties requested, producing total gross revenues of \$13,500 per year.

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 Colusa, Glenn, Lake, Yolo, and Sutter.

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 Gary Albert Yates, an individual, authorizing operations within and between points in the Counties of Colusa, Glenn, Lake, Yolo, and Sutter upon compliance with General Order Series 100.

This order is effective today.

Dated JUL 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO

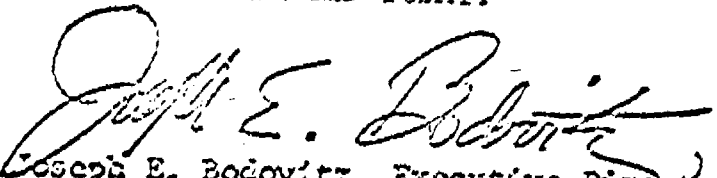
FRISCILLA C. GREN

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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


Joseph E. Bodovitz, Executive Director