

Decision No. 90949 OCT 23 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of R. E. WILLIAMS, et al, for a )  
Dump Truck Carrier Permit, )  
Petaluma. File 372.70 )

Application No. 58862  
(Filed May 14, 1979)

O P I N I O N

Applicants R. E. Williams and J. B. Williams, husband and wife and co-partners, request the issuance of a dump truck carrier permit. Applicants hold no operating authority from this Commission. Notice of the filing of the application appeared on the Commission's Daily Calendar of May 15, 1979. No protests to the application have been received.

Applicants' principal place of business is located in Petaluma, California, and their equipment is maintained there also. For the past year and a half they have been engaged in the business of farming in Sonoma County.

Applicants propose to operate an International 10-wheel dump truck in southern Sonoma and northern Marin counties. They have stated in their application that they are familiar with the minimum rates contained in the applicable dump truck tariff and will charge in accordance therewith. As of May 1, 1979, applicants indicate a net worth of \$166,131.64.

As attachments to their application, applicants have filed letters from a rock quarry, an excavating and grading contractor, and a construction company, who have stated that they would utilize the services of the applicants in the counties applied for as a prime carrier.

Applicants plan to maintain their equipment by a commercial automotive service facility located in Petaluma. Maintenance of the vehicle will be in accordance with standards set by the California Highway Patrol.

R. E. Williams, a co-partner, will operate the equipment himself on a regular basis. At those times that he is unable to drive, he will hire a driver to do so. This driver has been trained in good driving and safety habits.

Applicant R. E. Williams has a good driving record and possesses the necessary operator's licenses. He has a good credit rating and has no record of bankruptcy or criminal behavior.

FINDINGS:

1. Applicants possess sufficient knowledge and experience to conduct the proposed operation.
2. Applicants propose to use the equipment as a prime carrier for three shippers of mining, building, paving and construction material. These shippers have furnished letters in support of the application.
3. Applicants have demonstrated that there is a need for their service which is not presently being provided by existing dump truck carriers.
4. Applicants have demonstrated by preponderance of evidence that:
  - a. They are fit and proper persons to receive a dump truck carrier permit and possess sufficient operating knowledge and financial ability to conduct the proposed operation.
  - b. Their equipment is presently being used on public highways within and between Sonoma and Marin counties. Its future use will not endanger the safety of said highways or impair the condition or maintenance of them, either directly or indirectly.
  - c. Their proposed operation will not unnecessarily burden the public highways; 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.
5. Applicants have provided information regarding their safe operation of vehicles over the public highways.

6. Applicants have resided in the State of California for not less than ninety (90) days next preceding the filing of this application.

7. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

The Commission concludes that the applicants should be granted a dump truck permit authorizing operations within and between the counties of Marin and Sonoma.

O R D E R

IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to R. E. and J. B. Williams, husband and wife and co-partners, authorizing operations within and between the Counties of Marin and Sonoma.

The effective date of this order is thirty days after the date hereof.

Dated OCT 23 1979, at San Francisco, California.

Commissioner JOHN E. BRYSON

Present but not participating.

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President  
*Richard D. Howell*  
*Charles J. ...*  
*Donald J. ...*  
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Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.