

SEG/RI

ORIGINAL

Decision No. 91288 JAN 29 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of FRED WILLIAM PIERT)
and GEORGE EDWARD STEVENS, co-) Application No. 59040
partners (WEST VALLEY TRUCKING)) (Filed August 3, 1979)
for a permit to operate as a)
dump truck carrier.)

O P I N I O N

Applicants Fred William Piert and George Edward Stevens, co-partners, doing business as West Valley Trucking, request the issuance of a dump truck carrier permit. Applicants hold a highway contract carrier permit issued by this Commission under File T-126979. Notice of the filing of the application appeared in the Commission's Daily Calendar of August 6, 1979. No protests to the application have been received.

Applicants' principal place of business is located at 13332 Fifth Street, Chino, CA and their equipment is kept and maintained at that location.

Fred William Piert has two years experience as an owner operator, having driven for ConRock Ready Mix, Robertson Truck-a-way and Commercial Carriers, Inc. George Edward Stevens has two years experience as a driver for F. W. Piert and also performed all Piert's equipment maintenance.

Applicants propose to operate 10 units of power equipment and 9 trailers between points and places in the counties of Los Angeles, Orange, Riverside and San Bernardino. They have stated that they have copies of Minimum Rate Tariffs 7A and 17A and are familiar with the provisions of the same and will charge in accordance therewith. As of July 6, 1979, the partners indicated a net worth of \$216,622 with a net profit of \$12,300 for the ninety days ending July 6, 1979.

As attachments to their application, applicants have filed letters from two dump truck carriers who have stated that they would utilize the services of the applicants in the counties applied for as a sub-hauler.

Applicants have stated that they intend to maintain their own equipment and that it will be inspected at their place of business by an officer of the California Highway Patrol at quarterly intervals.

Drivers are to be instructed in safe driving practices by one of the partners when initially hired. There will be continuing emphasis on safe driving practices and good vehicle maintenance.

Partners both have good credit ratings and no criminal record or bankruptcy.

FINDINGS

1. Applicants have had the necessary experience in dump truck operation to demonstrate that they possess sufficient knowledge and experience to initiate and continue the proposed operation.
2. Applicants propose to employ their equipment for two carriers as a subhauler. The parties who will use the applicants' services have furnished letters in support of the application.
3. Applicants have demonstrated that there is a need for their services which is not being provided by existing dump truck carriers.
4. Applicants have demonstrated by a preponderance of evidence that:
 - a. They are fit and proper persons to receive a permit as a dump truck carrier, and possess sufficient operating knowledge and financial ability to perform the proposed operation.
 - b. Their equipment is presently being used on the public highways within the counties of Los Angeles, Orange, Riverside and San Bernardino, and its proposed 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 record of operation of vehicles over the public highways.

6. Applicants have the experience, equipment and financial resources to institute and maintain the proposed operation.

7. Applicant has resided in the State of California for not less than ninety (90) days next preceding the filing of this application.

8. 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 Los Angeles, Orange, Riverside and San Bernardino.

ORDER

IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to Fred William Piert and George Edward Stevens, co-partners, doing business as West Valley Trucking, authorizing operations within and between the counties of Los Angeles, Orange, Riverside and San Bernardino.

The effective date of this order shall be thirty (30) days after the date hereof.

Dated JAN 29 1980, at San Francisco, California.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

John E. Brown
President

Veronica L. Sturgeon
Robert W. Hinkle

Leonard W. Piert
Commissioners