

ORIGINAL

92129

Decision No. \_\_\_\_\_

AUG 19 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )	
of Donald Cecil Land for a dump )	Application No. 59680
truck carrier permit, Alameda )	(Filed May 20, 1980)
(372.70). )	
_____ )	

O P I N I O N

Applicant Donald Cecil Land requests the issuance of a dump truck carrier permit. Applicant does not presently hold operating authority from this Commission. Notice of the filing of the application appeared in the Commission's Daily Calendar of May 21, 1980. No protest to the application has been received.

Applicant's principal place of business is located at Pomona, California. He owns and operates one dump truck and proposes to haul asphalt, concrete, sand, and gravel within and between the counties of Los Angeles and San Bernardino. As of May 7, 1980 applicant indicated a net worth in the amount of \$76,000.

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A certification <sup>in</sup> support of the application was filed by Industrial Asphalt of Van Nuys, California, indicating that said company would use applicant's service for the transportation of at least 15,000 tons of asphalt during the first year of operation.

Findings of Fact

1. Applicant possesses sufficient knowledge and experience to conduct the proposed operation.
2. Applicant proposes to use his dump truck equipment as a prime carrier for a construction company. This party has furnished a letter in support of the application.

3. Applicant has demonstrated that there is a need for his services which is not presently being provided by existing dump truck carriers.

4. Applicant has demonstrated by preponderance of evidence that:

- a. He is a fit and proper person to receive a permit as a dump truck carrier and possesses sufficient operating knowledge and financial ability to perform the proposed operation.
- b. His equipment will not endanger the safety of highways or impair the condition or maintenance of them either directly or indirectly.
- c. His 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. Applicant has provided information regarding his record of operation of vehicles over the public highways.

6. Applicant has the experience, equipment, and financial resources necessary to institute and maintain the proposed operation.

7. Applicant has resided in the State of California for not less than ninety 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 <sup>effect</sup> ~~impact~~ on the environment.

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Conclusion of Law

The Commission concludes that applicant should be granted a dump truck permit authorizing operation within and between the counties of Los Angeles and San Bernardino.

O R D E R

IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to Donald Cecil Land authorizing operations within and between the counties of Los Angeles and San Bernardino.

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

Dated     AUG 19 1980    , at San Francisco, California.

John E. Byrne  
President

William L. Sturgeon

Clair T. Dedrick

Donald M. Jamieson  
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.