

Decision No. 92721

FEB 18 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of Gene Barker, Eugene Harrison )  
Barker and Constance L. Barker, )  
a partnership, doing business as )  
Gene Barkers Trucking, Garden Grove, )  
for a permit to operate as a dump )  
truck carrier. )  
(File 372.70) )  
\_\_\_\_\_ )

Application No. 59848  
(Filed July 30, 1980;  
amended November 11, 1980)

O P I N I O N

The partnership of Gene Barker, Eugene Harrison Barker, and  
Constance L. Barker (applicants) requests the issuance of a dump truck carrier  
permit. Applicants hold no authority from this Commission. Notice  
of the filing of the application appeared on the Commission's  
Daily Calendar of August 4, 1980. There are no protests. ✓

Applicants' principal place of business will be located  
at 12541 Camus Lane, No. 1, Garden Grove, California, 92641.  
Applicants own one end dump unit. The application indicates that  
applicants have sufficient working capital to meet the requirements  
established for applicants for new permits and complied with other  
Commission requirements in this regard.

As an attachment to the application, applicants have filed  
a certification of support signed by the owner of G. A. Ganz Grading  
& Rentals, Westminster, California, stating the shipper intends to  
use applicants' services in the forthcoming year to transport  
approximately 12,960 yards of earth, or approximately 1,296 loads.

Applicants do not intend to operate as a subhauler, nor to engage subhaulers. Applicants intend to operate in Orange, Los Angeles, and Riverside Counties.

Applicants have a good credit rating and no record of criminal behavior or bankruptcy.

Findings of Fact

1. Applicants possess sufficient knowledge and experience to initiate and continue the proposed operation.
2. Applicants, as a prime carrier, propose to employ their equipment for a grading contractor. That company has furnished a letter in support of the application.
3. Applicants have demonstrated that there is a need for their service which is not being met 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 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 to indicate they will conduct safe operation of vehicles over the public highways.

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

7. Applicants have resided in the State of California for not less than 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.

9. The order herein complies with the guidelines set forth in the Commission's Energy Efficiency Plan. ✓

Conclusions of Law

1. Applicants should be granted a dump truck carrier permit authorizing operations within and between the counties of Orange, Riverside, and Los Angeles.

2. The order should be effective on the date of signature in order that applicants may begin operations as soon as possible. ✓

O R D E R

IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to Gene Barker, Eugene Harrison Barker, and Constance L. Barker, a partnership, doing business as

Gene Barkers Trucking, authorizing operations within and between the counties of Los Angeles, Orange, and Riverside.

The effective date of this order is the date hereof.

Dated FEB 18 198\*, at San Francisco, California.

John E. Brown  
President  
Richard J. Doyle  
Samuel J. ...

\_\_\_\_\_  
Commissioners