

ORIGINAL

Decision No. 92950 APR 21 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
John M. Gallagher, dba Gallagher )
Trucking, for a permit to operate )
as a dump truck carrier in the )
counties of San Diego, Orange, )
Imperial, Riverside, San Bernardino)
and Los Angeles. )
(File No. 372.70) }

Application No. 60201
(Filed January 20, 1981)

O P I N I O N

Applicant John M. Gallagher, an individual doing business as
Gallagher Trucking, requests the issuance of a dump truck carrier
permit. Notice of the filing of the application appeared on the
Commission's Daily Calendar on January 22, 1981. No protests to the
application have been received.

Applicant's principal place of business is located at
Coronado, California, and his equipment is kept and maintained there.

Applicant proposes to operate as a subhauler and as a prime
carrier in the counties of San Diego, Orange, Imperial, Riverside, San
Bernardino, and Los Angeles. He is familiar with the rates in Minimum
Rate Tariffs 7-A and 17-A and will charge in accordance therewith. As
of March 3, 1980, applicant indicates a net worth of \$43,500.

As attachments to his application, applicant has filed
letters from two dump truck carriers who have stated that they would
utilize the services of the applicant in the counties applied for, as
a subhauler.

Applicant intends to maintain his own equipment and have it inspected by the California Highway Patrol at frequent intervals.

Findings of Fact

1. Applicant has demonstrated by a preponderance of evidence that:

- a. He is a fit and proper person to receive a permit to operate as a dump truck carrier.
- b. He has sufficient operating knowledge and financial ability to initiate and continue the proposed operation.
- c. 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 not less than 90 days next preceding the filing of this application.

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

4. The following order should be effective the date of issuance to be consistent with the issuance of permits to other classes of carriers.

5. The following order complies with the guidelines in the Commission's Energy Efficiency Plan.


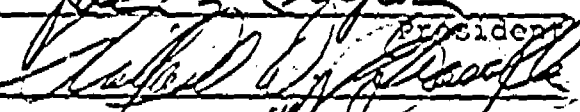
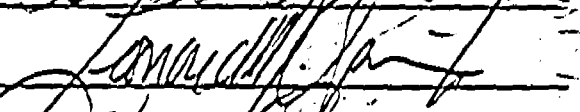

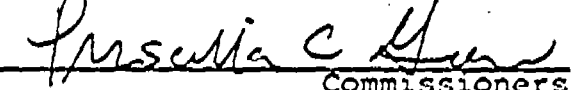
The Commission concludes that applicant should be granted a dump truck permit authorizing operations within and between the counties of San Diego, Orange, Imperial, Riverside, San Bernardino, and Los Angeles.

O R D E R

IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to John M. Gallagher, an individual doing business as Gallagher Trucking, authorizing operations within and between the counties of San Diego, Orange, Imperial, Riverside, San Bernardino, and Los Angeles.

The effective date of this order is the date hereof.

Dated APR 21 1981, at San Francisco, California.

  
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President  
  
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Commissioners