

ORIGINAL

MAY 19 1981

Decision No. 93104

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
John Poulson, doing business as )  
John's Backhoe Service, for a Dump )  
Truck Carrier Permit, Sonoma, Marin, )  
and Napa Counties. )  
(File No. 372.70) )

Application No. 60257  
(Filed February 11, 1981)

O P I N I O N

Applicant John Poulson, doing business as John's Backhoe Service, requests the issuance of a dump truck carrier permit. Applicant does not presently hold authority from this Commission. Notice of the filing of the application appeared in the Commission's Daily Calendar of February 12, 1981 and copies of the application were served upon Aggregates & Concrete Association of Northern California, Inc., Associated General Contractors, Associated Independent Owner-Operators, Inc., California Asphalt Pavement Association, California Carriers Association, California Dump Truck Owners' Association, California Trucking Association, Engineering & Grading Contractors' Association, Inc., Highway Carriers' Association and Southern California Rock Products Association. No protest has been filed.

Applicant's principal place of business is located at Santa Rosa, California. Applicant has been a resident of California for more than a year and proposes to transport dirt, sand, and rock, within and between points in Sonoma, Napa, and Marin Counties.

As of January 28, 1981, applicant indicated a net worth in the amount of \$249,500.

Applicant owns and operates one dump truck. Attached to this application are certificates of support signed by representatives of three shippers.

Findings of Fact

1. Applicant possesses sufficient knowledge to conduct the proposed operation.
2. Applicant proposes to transport sand, dirt, and gravel for three shippers, representatives of which companies signed certificates in support of the application.
3. Applicant has demonstrated that there is a need for his service.
4. Applicant has demonstrated by a preponderance of the evidence that:
  - a. He is a fit and proper person to receive a permit as a dump truck carrier and possesses sufficient financial ability to perform the proposed operation.
  - b. His equipment will not endanger the safety of highways or impair the conditions or maintenance of them either directly or indirectly.
  - c. His proposed operations will not unnecessarily burden the public highways, are 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 the experience, equipment, and financial resources necessary to institute and maintain the proposed operation.

6. Applicant has resided in the State of California for not less than ninety days preceding the filing of the application.

7. No protest to the application has been filed. A public hearing is not necessary.

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

10. The following order should be effective the date of signature to be consistent with other highway carrier permit authorizations.

Conclusion of Law

Applicant should be granted a dump truck carrier permit authorizing operations within and between the counties of Sonoma, Napa, and Marin.

O R D E R

IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to John Poulson, doing business as John's Backhoe Service, authorizing operations within and between the counties of Sonoma, Napa, and Marin.

The effective date of this order is the date hereof.

Dated MAY 19 1981, at San Francisco, California.

John E. Gwyn President  
William D. Hargrave  
James M. King  
Walter P. ...  
Francis C. Grew Commissioners