

ORIGINAL

Decision 93447 AUG 13 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of STANLEY WELDON POTEET, doing)
business as Stanley Poteet)
Trucking, for a dump truck car-)
rier permit to operate in the)
Counties of San Diego, Imperial,)
Orange, and Riverside.)
(File 372.70)

Application 60499
(Filed April 30, 1981)

O P I N I O N

Applicant Stanley Weldon Poteet, an individual doing business as Stanley Poteet Trucking, requests a permit to operate as a dump truck carrier in the Counties of San Diego, Imperial, Orange, and Riverside. Copies of the application were mailed to the California Dump Truck Association, California Trucking Association, California Carriers Association, Associated Independent Owner-Operators, and to other interested parties. Notice of the filing of the application appeared in the Commission's Daily Calendar of May 4, 1981. No protests have been received.

Applicant's principal place of business is at 1018 Eleventh Street, Imperial Beach, San Diego County, California 92032. Applicant will be operating an end dump truck with a power lift, transporting dirt, rock, sand, and gravel. Applicant's balance sheet shows a net worth of \$82,279.22 as of April 13, 1981.

Applicant states that he is familiar with the dump truck tariffs and will charge the rates in them. He has several bank statements attached to the application to indicate his financial responsibility and has included the name of his insurance agent. He will not engage subhaulers and will not be leasing equipment.

Applicant has filed letters from six contractors who will use his service.

Findings of Fact

1. Applicant possesses sufficient knowledge and experience to conduct the proposed operation.
2. Applicant has demonstrated that there is a need for his services which is not presently being provided by existing dump truck carriers.
3. 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 is presently being used on the public highways and its proposed future use will not endanger the safety of the 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.
4. Applicant has provided information regarding his record of operation of vehicles over the public highways.
5. Applicant has the experience, equipment, and financial resources necessary to start and maintain the proposed operation.
6. Applicant has resided in the State of California for not less than 90 days next preceding the filing of this application.
7. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

8. The following order complies with the Commission's Energy Efficiency Plan.

9. The following order should be effective the date of signature to be consistent with other permit grants.

Conclusion of Law

Applicant should be granted a dump truck permit authorizing operations within and between points to the Counties of Imperial, Riverside, Orange, and San Diego.

O R D E R

IT IS ORDERED that the Executive Director shall issue a dump truck carrier permit to Stanley Weldon Poteet authorizing operations within and between points in the Counties of Orange, San Diego, Imperial, and Riverside *when applicant has complied with General Order Series 100.*

This order is effective today.

Dated AUG 18 1981, at San Francisco, California.

John E. Bayon

 President

Richard D. ...

Tommy ...

Victor ...

Patricia C. ...

 Commissioners