

Decision 93559 SEP 15 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of FRANK E. MARTIN doing business)
as F. E. MARTIN & SON for a dump)
truck carrier permit, Half Moon)
Bay.)

Application 60622
(Filed June 4, 1981)

O P I N I O N

Frank E. Martin, an individual, doing business as F. E. Martin & Son, seeks a dump truck carrier permit. He proposes to transport sand, rock, and gravel, within and between all points in the Counties of Alameda, Contra Costa, Merced, San Francisco, San Mateo, Santa Clara, and Stanislaus. Applicant's principal place of business is at 960 Marin Street, Half Moon Bay, CA 94019. Applicant presently holds no operating authority from this Commission.

Applicant owns and proposes to operate a transfer body unit in the proposed operation. His balance sheet shows a net worth of \$248,386 as of May 26, 1981. Applicant has attached to his application letters of support from a building materials supplier and an overlying carrier.

Notice of the filing of the application appeared in the Commission's Daily Calendar of June 8, 1981 and copies of the application were furnished to a number of carrier and shipper associations. No protests to the application have been received.

Findings of Fact

1. Applicant is a fit and proper person to receive a permit to operate as a dump truck carrier.
2. Applicant has sufficient operating knowledge and financial ability to initiate and continue the proposed operation.
3. Applicant's service
 - a. Will not endanger the safety of the public or interfere with the use of the highways or impair the condition or maintenance of them either directly or indirectly.
 - b. Will not unnecessarily burden the public highways.
 - c. Is necessary to serve the public.
 - d. Will not impair the ability of presently permitted dump truck carriers to provide adequate service at the lowest possible reasonable rates.
4. The applicant has resided in the State of California for not less than 90 days preceding the filing of the application.
5. A public hearing is not necessary.
6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

7. The following order complies with the guidelines of the Commission's Energy Efficiency Plan.

8. The following order should be effective today to be consistent with other highway permit authorizations.

Conclusion of Law

Applicant should be granted a dump truck carrier permit to operate within and between all points in the Counties of Alameda, Contra Costa, Merced, San Francisco, San Mateo, Santa Clara, and Stanislaus.

O R D E R

IT IS ORDERED that the Executive Director shall issue to Frank E. Martin, an individual, doing business as F. E. Martin & Son, a dump truck carrier permit to operate between all points in the Counties of Alameda, Contra Costa, Merced, San Francisco, San Mateo,

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Santa Clara, and Stanislaus when applicant has complied with General Order Series 100.

This order is effective today.

Dated SEP 15 1981, at San Francisco, California.

John E. Byrne
President
Robert D. Gault
Samuel W. Smith
Victor C. ...
Prudence ...
Commissioners