

Decision 92564 SEP 15 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SCOTT BORBA, an )  
individual, of Walnut Creek, Cali- )  
fornia, for a permit to operate as )  
a dump truck carrier. )

Application 60705  
(Filed July 2, 1981)

O P I N I O N

Scott Borba (applicant), an individual, doing business as North Gate Transport & Supply, seeks a dump truck carrier permit. He proposes to transport sand and gravel within and between all points in the Counties of Alameda, Contra Costa, and Solano. Applicant's principal place of business is 720 Northgate Road, Walnut Creek, CA 94598. Applicant presently holds no highway carrier operating authority from this Commission.

Applicant owns and proposes to operate two transfer body units and one end dump unit in the proposed operation. His balance sheet shows a net worth of \$429,950 as of February 11, 1981. Applicant has attached to the application letters of support from a paving contractor and a construction company that together propose to ship approximately 7000 tons of paving and construction material during the first year of use of the applicant's service.

Notice of the filing of the application appeared in the Commission's Daily Calendar of July 7, 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 interfere with 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 next 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 in 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 Alameda, Contra Costa and Solano Counties.

O R D E R

IT IS ORDERED that the Executive Director shall issue to Scott Borba, an individual, doing business as North Gate Transport &

A.60705 T/SG/BW/WPSC

Supply, a dump truck carrier permit to operate within and between all points in Alameda, Contra Costa, and Solano Counties when applicant has complied with General Order Series 100.

This order is effective today.

Dated SEP 15 1981, at San Francisco, California.

John E. Gurnea  
President  
William H. ...  
...  
...  
...  
Commissioners