

ORIGINAL

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Decision 93565 SEP 15 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of James M. Milham, doing business)
as Milham Trucking, for a dump)
truck [sic] carrier permit to)
operate in the Counties of Butte,)
Placer, and Sacramento.)
(File 372.70.))

Application 60709
(Filed July 6, 1981)

O P I N I O N

James M. Milham, dba Milham Trucking, requests a permit to operate as a cement contract carrier in the Counties of Butte, Placer, and Sacramento. Milham currently is certified for highway common carrier operation and has a highway contract carrier permit. Notice of filing of the application appeared in the Commission's Daily Calendar of July 7, 1981. Notice of the application was served on carriers with which the proposed service is likely to compete. No protests to the application have been received.

Trimm's Building Materials, Rocklin, by its manager Richard Starr, has submitted a certificate in support of the application. Milham now operates a tractor and two flatbed trailers. His balance sheet as of June 1, 1981 shows total assets of \$181,000 and a net worth of \$118,340.

Findings of Fact

1. Milham is a fit and proper person to receive a permit as a cement contract carrier and possesses sufficient operating knowledge and financial ability to perform the proposed operation.

2. Milham's equipment will not endanger the safety of highways or impair the condition or maintenance of them either directly or indirectly.

3. Milham's proposed operation will not unnecessarily burden the public highways, is necessary to serve the public, and will not impair the ability of presently permitted **cement contract** carriers to provide adequate service at the lowest possible reasonable rates. ✓

4. Milham has been a California resident for not less than 90 days next preceding this filing.

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

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

Conclusion of Law

The application should be granted.

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

O R D E R

IT IS ORDERED that upon applicant's compliance with the Commission's General Order Series 100, the Executive Director shall issue a cement contract carrier permit to James M. Milham authorizing operations within and between all points in the Counties of Butte, Placer, and Sacramento.

This order is effective today.

Dated SEP 15 1981, at San Francisco, California.

James E. Coyne
President
Richard D. Fawcett
Thomas J. ...
Walter ...
Mark C. ...
Commissioners