

ORIGINAL

Decision 93865 DEC 15 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of Timothy Edward Struthers for )  
a Dump Truck Carrier Permit to )  
operate in the County of Modoc. )

Application 60793  
(Filed August 7, 1981;  
amended October 26, 1981)

O P I N I O N

Timothy Edward Struthers (Struthers), an individual, doing business as Morning Sun Trucking, requested a permit to operate as a dump truck carrier in the County of Modoc. His subsequent amendment added the Counties of Siskiyou, Lassen, Shasta, and Plumas to his request. His place of business is at P.O. Box 172, Alturas, CA 96101, located five miles east of Alturas. Notice of filing of the application appeared in the Commission's Daily Calendar of August 11, 1981. Struthers served a copy of his application on a number of persons with whom the proposed service is likely to compete. He also served the California Dump Truck Owners Association and the California Trucking Association. No protests to the application have been received.

Struthers' financial statement shows total assets of \$170,000 as of July 13, 1981 and a net worth as of the same date of \$118,000. For 90 days of operation he estimates revenues of \$22,500 and expenses of \$16,141.70, for a net profit for the period of \$6,358.30. Struthers certifies that he has resided in California for not less than 90 days preceding this filing. His truck equipment includes a tractor, two flatbed trailers, a lowbed trailer, and two gravity hopper trailers. Statements in support of the application were submitted by Frank Matherly, owner of a cinder pit, and by Don E. Polson, Road Commissioner, Modoc County Road Department.

Findings of Fact

1. Struthers 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.

2. Struthers' equipment will not endanger the safety of the public, interfere with the use of the highways, or impair the condition or maintenance of them either directly or indirectly.

3. Struthers' 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. Struthers has been a California resident for not less than 90 days preceding this filing.

5. Struthers' proposal is supported by two potential shippers of materials transported in dump trucks.

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.

Conclusions of Law

Public hearing in this matter is not necessary. Struthers should be granted a dump truck carrier permit authorizing operations within and between all points in the Counties of Modoc, Siskiyou, Lassen, Shasta, and Plumas. 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

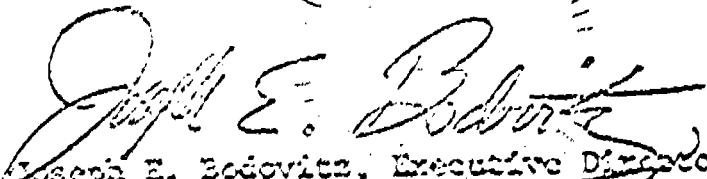
IT IS ORDERED that upon applicant's compliance with the Commission's General Order Series 100, the Executive Director shall issue a dump truck carrier permit to Timothy Edward Struthers, authorizing operations within and between all points in the Counties of Modoc, Siskiyou, Lassen, Shasta, and Plumas.

This order is effective today.

Dated DEC 15 1981, at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. GRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. CREW  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

  
Joseph E. Bodovitz, Executive Director