

Decision No. 85135

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MISSION VIEJO COMPANY,
a corporation dba MISSION VIEJO
RECREATION CENTERS, for a Class "B"
certificate to operate as a charter-
party carrier of passengers.
(TCP-41-B)

Application No. 55694

(Filed May 14, 1975)

O P I N I O N

This is an application by Mission Viejo Company, a California corporation, dba Mission Viejo Recreation Centers, for a Class "B" charter-party passenger carrier certificate. Applicant's purpose is to provide additional recreational attractions to its private membership at its five locations, all in Mission Viejo. Applicant has been operating under our permit TCP-234, which carries a 50-mile limitation. Applicant presently owns two vehicles, with respective capacities of 32 and 45 persons, which it currently operates under its existing permit. It has four years of experience in this operation and appears to possess the fitness and financial responsibility to conduct the proposed operations.

Pro forma protests were filed by the Gray Line Tours Company, American Buslines, Inc., and Continental Trailways, Inc. These protests were waived as a result of applicant's agreeing to the following restrictions:

1. Service to be given only to members of the Mission Viejo Recreation Centers, with the point of pickup restricted to said recreation centers.

2. Service only provided to points within 100 miles (and return) of Mission Viejo, California.

Applicant's home terminal is 25800 Montanoso Drive, Mission Viejo.

Findings

1. Public convenience and necessity require that the service proposed by applicant be authorized.

2. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed service.

3. Applicant's home terminal is 25800 Montanoso Drive, Mission Viejo.

4. The service proposed should be restricted as follows:

(a) Service to be given only to members of the Mission Viejo Recreation Centers, with the point of pickup restricted to said recreation centers.

(b) Service only provided to points within 100 miles (and return) of Mission Viejo, California.

(c) Passengers may be picked up within a radius of five air miles from its home terminal at 25800 Montanoso Drive, Mission Viejo.

5. The Gray Line Tours Company, American Buslines, Inc., and Continental Trailways, Inc. serve the requested territory, but are not providing services which are adequate for the public applicant seeks to serve and, therefore, their services are not satisfactory to the Commission.

6. We find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment.

The Commission concludes that the proposed authority should be issued as provided in the following order.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity, to be renewed each year, is granted to Mission Viejo Company, dba Mission Viejo Recreation Centers, authorizing it to operate as a Class "B" charter-party carrier of passengers, as defined in Section 5383 of the Public Utilities Code, from its home terminal at 25800 Montanoso Drive, Mission Viejo, subject to the restrictions set forth in Finding 4, above.

2. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following regulations. Failure so to do may result in a cancellation of the operating authority granted by this decision.

Applicant will be required, among other things, to comply with and observe the safety rules administered by the California Highway Patrol, the rules and other regulations of the

A. 55694 - SW/bw *

Commission's General Order No. 98-A, and the insurance requirements of the Commission's General Order No. 115-A.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California,
this 18th day of NOVEMBER, 1975.

William J. Stanger President
Robert J. Stanger
Robert J. Stanger
Commissioners