

ORIGINAL

Decision No. 85163

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Rancho Bernardo Westwood Club, a corp dba Private Recreation Club, for a class "B" cert to operate as a charter-party carrier of passengers.

(TCP-40-B)

Application No. 55659
(Filed April 28, 1975;
amended September 24, 1975)

AMENDED: Application of The Westwood Club, a California non-profit corporation, d/b/a Rancho Bernardo Westwood Club, for a Class B certificate to operate as a charter-party carrier of passengers.

O P I N I O N

This is an application by the Westwood Club, a California corporation, doing business as Rancho Bernardo Westwood Club, a private recreation club in San Diego, for a Class B charter-party passenger carrier certificate. Its home terminal is 17394 West Bernardo Drive, San Diego. Protests were filed by The Gray Lines Tours Company, American Buslines, Inc., Continental Trailways, Inc., and Greyhound Lines, Inc. These protests were withdrawn when applicant agreed to the following restrictions:

1. Use would be restricted to the members of the Rancho Bernardo Community Centers and the Village Park Recreation Association.
2. A 100 mile traveling restriction from point of pickup.

Applicant is a private nonprofit recreation association and desires this certificate to provide its members limited transportation to and from local recreational attractions. Under the name of Avco Community Developer, applicant is operating under permit number TCP-487. It leases one 1964 GMC bus with a 32 adult and 48 youth capacity. It appears to have sufficient experience, fitness, and financial capability to perform the requested service.

Aztec Bus Lines and Storer Transportation Service indicated a desire to oppose the application, but failed to furnish the information requested to formally protest the application. Therefore, any opposition of these carriers is deemed waived.

We have also amended the title of this application on its face to reflect the facts, since the caption originally used is a misnomer. A public hearing is not necessary.

Findings

1. Public convenience and necessity require that the service proposed by applicant be established.
2. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed service.
3. Applicant's home terminal is 17394 West Bernardo Drive, San Diego.
4. The service proposed by applicant should be restricted as follows:
 - a. Passengers may be picked up only within a radius of 20 air miles from its home terminal.
 - b. Passengers should be restricted to members of the Rancho Bernardo Community Centers and the Village Park Recreation Association.
 - c. Applicant's traveling distance is restricted to 100 miles from point of pickup.

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

Conclusion

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 The Westwood Club, a California nonprofit corporation, doing business as Rancho Bernardo Westwood Club, 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 17394 West Bernardo Drive, San Diego, 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 service regulation. Failure so to do may result in a cancellation of the operating authority granted by this decision.

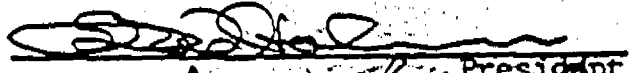
Applicant will be required, among other things, to comply with and observe the safety rules administered by the California Highway Patrol, the rules and other regulations of the Commission's General Order

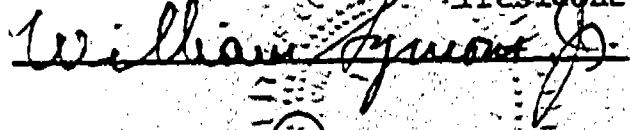
No. 98-A, and the insurance requirements of the Commission's General Order No. 115-A.

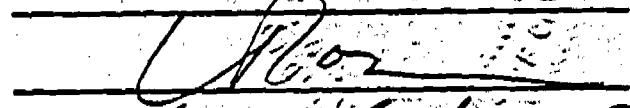
3. Permit TCP-487 is revoked as of the effective date of this order.

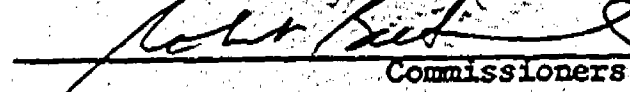
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 25th day of NOVEMBER, 1975.



President





Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.