

Decision 84 02 029

FEB 1 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of SOUTH BAY RIVER RAFTERS, INC., )  
D/B/A SOUTH BAY BUS CHARTER, for )  
a Class B charter bus certificate )  
from home terminal in Manhattan )  
Beach, CA. )

Application 83-09-44  
(Filed September 15, 1983)

O P I N I O N

South Bay River Rafters, Inc., doing business as South Bay Bus Charter, seeks a Class B certificate of public convenience and necessity to operate as a charter-party carrier of passengers from a service area with a 40-mile radius from its home terminal at 1700 Pine Avenue, Manhattan Beach.

Notice of the filing of this application appeared in the Daily Transportation Calendar on September 22, 1983. There were no protests.

On August 31, 1983 applicant's assets totaled \$378,540, consisting of \$124,000 in cash, \$15,540 in accounts receivable, \$30,000 in notes receivable, \$3,500 in inventory, \$33,000 in other current assets, \$102,000 in motor vehicle equipment, \$7,500 in shop equipment, and \$63,000 in miscellaneous assets. Its liabilities of \$33,000 consist of \$2,000 in accounts payable and \$31,000 due on motor vehicle equipment. Its net equity was \$345,540 on that date. Applicant's letter to the Commission dated November 23, 1983 (Exhibit 1) revises its estimated annual results of operations as follows:

- a. Charter revenues are increased from \$65,200 to \$120,000. Applicant is now paying \$65,200 to charter buses for its river-rafting operations.

With a certificate applicant would continue to provide charter service for its river-rafting tours and it would provide charter service to other parties.

- b. Estimated expenses of \$96,360 includes expenses needed to operate its buses and to operate its river-rafting business.

If these projections are accurate applicant's charter operations would be profitable even if all of the expenses were chargeable to charter operations. Furthermore, applicant's other revenues are estimated at \$294,800.

Applicant proposes to operate its 47-passenger bus and its 41-passenger bus in providing the proposed charter services.

Applicant or its predecessor, a partnership including Mr. Pat Fisher, applicant's sole owner, operated river-rafting trips for private groups for nine years. During the past two years applicant or the partnership leased its buses to American Charter Enterprises,<sup>1/</sup> a Class A charter-party carrier, to carry its customers. Before that time the partnership used other charter-party carriers to transport its customers.

Applicant states that its service is needed because no other carriers in its service area offer the services it proposes to supply.

#### Findings of Fact

1. Applicant has the fitness, equipment, and financial resources to perform the proposed service.
2. A public hearing is not necessary.
3. Applicant should be authorized to pick up passengers within a radius of 40 air miles from its home terminal at 1700 Pine Avenue, Manhattan Beach.

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<sup>1/</sup> American Charter Enterprises transferred its operating authority to Joseph Ewart and Phillip G. Laisney, doing business as Royal Pacific Charter Lines.

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

Conclusions of Law

1. Public convenience and necessity require that the requested authority be issued.

2. The following order should be effective today because there is a public need for the proposed service.

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 South Bay River Rafters, Inc., authorizing it to operate as a Class B charter-party carrier of passengers, as defined in PU Code Section 5383, from a service area with a radius of 40 air miles from applicant's home terminal at 1700 Pine Avenue, Manhattan Beach.

2. Applicant shall:

- a. Obtain California Highway Patrol (CHP) clearance for each vehicle to be used in this Class B charter-party operation.
- b. Notify the Commission and CHP of any addition or deletion of vehicles used in the service prior to use.
- c. Establish the authorized service within 360 days after this order is effective.

3. The Passenger Operations Branch will issue the annual renewable certificate on Form PE-695 as authorized by Resolution PE-303 when it receives CHP clearances and evidence of liability protection in compliance with General Order Series 115.

4. In providing service under the certificate, applicant shall comply with General Orders Series 98 and 115 and the CHP safety rules.

5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by both this Commission and the airport authority involved.

6. The Class B certificate of public convenience and necessity granted by this order does not authorize round-trip sightseeing-tour service, which is not subject to regulation by this Commission.

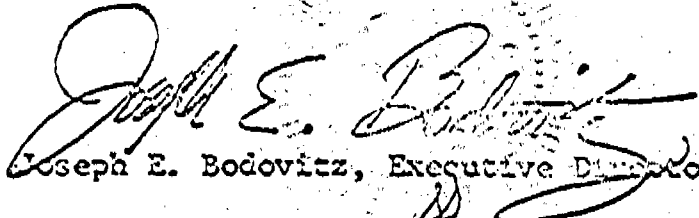
This order is effective today.

Dated FEB 1 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director