

ORIGINAL

Decision 84 C2 031 FEB 1 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of Bob D. Johns and Nancy L. Johns,)
d/b/a/ Nancy Lee Tours, for a)
Class B charter bus certificate)
from home terminal in Homeland,)
County of Riverside, California.)

Application 83-11-13
(Filed November 7, 1983)

O P I N I O N

Bob D. Johns and Nancy L. Johns, a partnership dba Nancy Lee Tours, seek authority to operate as a Class "B" charter-party carrier of passengers from a service area with a 40-mile radius from their headquarters at 30591 Paradise Palms, Homeland, Riverside County. Applicants propose to provide their service using one 1969 49-passenger MCI bus, which is owned by applicants.

Notice of the filing of the application appeared in the Daily Transportation Calendar dated November 10, 1983. There were no protests.

Applicants' financial condition as of September 1, 1983 shows assets of \$256,784 and total liabilities of \$38,500. Applicants' estimated annual results of operations show total revenues of \$93,500 and total operating expenses of \$84,500.

Applicant Bob Johns has been regularly engaged in the operation of intercity passenger buses, as a driver, for the past 35 years; 17 years have involved arranging for and escorting tours. Johns alleges that he has established arrangements for the repair and maintenance of their equipment and that he has the experience necessary to conduct the proposed operation.

Applicants state that the service to be performed will be designed to serve the special needs of retirement communities, especially those located in the Sun City-Hemet, California, area, the retirement capital of the world. Applicants allege there are no charter carriers located in the immediate locality of these retirement communities and that other carriers with authority charge substantial deadhead mileage to serve these communities. Applicants allege they have discussed the proposed service with civic leaders, travel agents, social and religious groups, and members of the transportation business, and have received favorable response. Generally, the persons interviewed indicate a desire to have a locally operated carrier to service their needs.

Findings of Fact

1. Applicants have the ability, experience, and equipment to perform the proposed service.
2. Public convenience and necessity require that the requested authority be issued.
3. A public hearing is not necessary.
4. Applicants should be authorized to pick up passengers within a radius of 40 air miles from their home terminal at 30591 Paradise Palms, Homeland, Riverside County.
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.

Conclusion of Law

Public convenience and necessity have been demonstrated and a certificate should be granted.

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 Bob D. Johns and Nancy L. Johns, authorizing them 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 applicants' home terminal at 30591 Paradise Palms, Homeland, Riverside County.

2. Applicants 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, applicants 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.

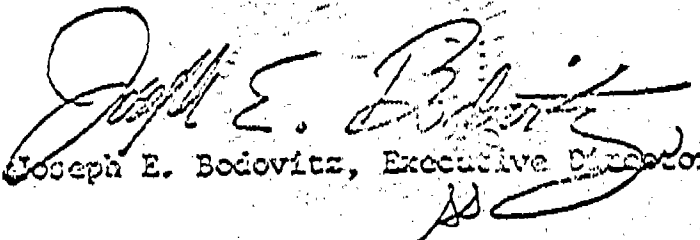
6. The Class B certificate of public convenience and necessity granted by this order does not authorize round-trip sightseeing-tour service, which is not subject to regulation by this Commission.

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