

Decision 84 02 074

FEB 16 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
J. Peter Schweitzer, DBA)
Schweitzer Travelcades, Inc.,)
for a Class B charter bus certificate)
from home terminal in San Francisco.)

Application 83-11-16
(Filed November 7, 1983)

O P I N I O N

Applicant Schweitzer Travelcades, Inc. requests a certificate of public convenience and necessity to operate as a charter-party carrier of passengers from a service area within 40 miles from its terminal located at 160 - 26th Avenue, San Francisco. Notice of the filing of the application was published in the Commission's Daily Transportation Calendar of November 10, 1983. No protests to the application have been received.

The application shows that applicant intends to use one 1983 19-passenger (excluding driver) Ford Van in its proposed operation. During its first year of operation applicant estimates the van will travel approximately 52,000 miles and earn total gross revenue of approximately \$72,000 and net revenue of \$15,000. Applicant states that it has three years' previous charter-party carrier experience. As of June 17, 1983 applicant represents that it had a net worth of approximately \$500,000.

Applicant alleges its operation will fill a need for intermediate size charter service; that its service will allow for greater flexibility in the operation of tour programs by allowing tour operators to reduce the minimum number of passengers required, thereby resulting in fewer cancellations and increasing the number of tours which may be operated.

Findings of Fact

1. Applicant requests a Class B charter-party bus certificate from a service area within 40 miles from its home terminal located at 160 - 26th Avenue, San Francisco.
2. Applicant will operate one 19-passenger 1983 Ford Van in the proposed service.
3. Applicant has three years' previous experience as a charter-party carrier.
4. As of June 17, 1983 applicant's net worth was approximately \$500,000.
5. Applicant has shown that there is a public need and demand for its service.
6. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service.
7. Public convenience and necessity require the service proposed by the applicant.
8. Applicant should be authorized to pick up passengers within a radius of 40 air miles from its home terminal at 160 - 26th Avenue, San Francisco.
9. A hearing is not necessary.
10. The application is not protested.
11. 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

The application 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 Schweitzer Travelcades, Inc. (applicant) authorizing it to operate as a Class B charter-party carrier of passengers, as defined in Public Utilities Code § 5383, from a service area with a radius of 40 air miles from applicant's home terminal at 160 - 26th Avenue, San Francisco.

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 vehicle(s) 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 Order 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.

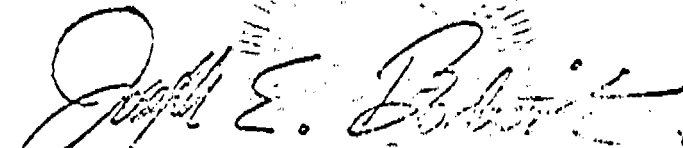
This order becomes effective 30 days from today.

Dated FEB 16 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director

Commissioner Victor Galvo,
being necessarily absent, did
not participate