

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of United Charter Service, Inc. for a Class "B" certificate to operate as a charter-party carrier of passengers in San Francisco.

Application 59806  
(Petition to amend D.93214  
filed October 18, 1983)

O P I N I O N

United Charter Service, Inc. (applicant) operates out of San Francisco as a certificated Class B charter-party carrier. Applicant's authority was granted in Decision (D.) 93214 dated June 16, 1981 (Application 59806).

Applicant has petitioned to eliminate a restriction in the decision which reads:

"Service shall be limited to vehicles seating 25 passengers or less."

Copies of the petition were served on all appearances from the certificate hearing and notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on October 21, 1983. No protests or requests for hearing have been received.

Findings of Fact

1. Applicant's Class B charter-party authority requires that service be provided with vehicles of 25-passenger or less capacity.
2. Applicant's interstate operating authority has no vehicle size limitation.
3. Charter groups handled by applicant frequently exceed 25 members, but could be carried by a single 39- or 43-passenger bus.
4. Applicant cannot compete economically with other operators who have authority to use much larger vehicles.
5. If the restriction is removed, applicant will purchase at least one large bus, with a restroom, for the comfort of passengers on longer trips.

6. Public convenience and necessity require that the restriction be removed.

7. There are no protests to this application, and no hearing is necessary.

Conclusion of Law

The application should be granted as set forth in the order. Since there are no protests, the order should become effective on the date it is signed.

O R D E R

IT IS ORDERED that:

1. United Charter Service, Inc.'s certificate of public convenience and necessity is modified to remove the present restriction on the size of vehicles. Except for this modification, applicant's authority shall remain as set forth in the Class B charter-party certificate issued by D.93214.

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.

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. It does, however, permit applicant to offer charter service to a sightseeing-tour operator.

This order becomes effective 30 days from today.

Dated MAR 21 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO

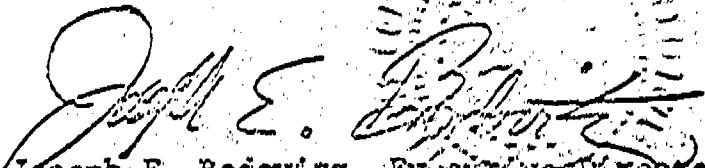
PRISCILLA C. GRIEW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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

  
Joseph E. Bodovitz, Executive Director