

ORIGINAL

Decision S4 03 082

MAR 21 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Robert Arthur Dockerty, (DBA) Fiesta Holiday Travel, for a Class B charter bus certificate from home terminal in Vista, California.

Application 83-11-52  
(Filed November 23, 1983)

O P I N I O N

Robert Arthur Dockerty, dba Fiesta Holiday Travel, seeks a Class B certificate of public convenience and necessity to operate as a charter-party carrier of passengers<sup>1/</sup> from a service area with a 40-mile radius from his home terminal at 1830 Hacienda Drive, Vista. Applicant holds an existing charter-party permit from a terminal in Riverside.

Notice of the filing of this application appeared in the Daily Transportation Calendar on November 28, 1983. No protests were received.

On November 1, 1983 applicant's assets of \$87,300 consisted of \$20,200 in cash and accounts receivable, \$3,400 in inventory, \$12,000 in other current assets, \$48,000 in motor vehicle equipment, \$2,500 in shop equipment, and \$1,200 in miscellaneous assets. His liabilities of \$42,700 consisted of accounts payable of \$1,700 and \$41,000 due on motor vehicle equipment. Applicant estimates that his operations will yield

---

<sup>1/</sup> In preparing the application applicant inadvertently requested both a passenger stage certificate and a charter-party certificate (see Exhibit 1).

revenues of \$58,000 including charter revenues of \$50,000. He estimates his total operating expenses will total \$51,100.

Applicant owns a 42-passenger bus which he proposes to use in the operations. Applicant states he has had 25 requests for service within a 45-day period, but he has been unable to serve the public because he lacks the needed authority.

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 his home terminal at 1830 Hacienda Drive, Vista.
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 Robert Arthur Dockerty, authorizing him 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 1830 Hacienda Drive, Vista.

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 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.

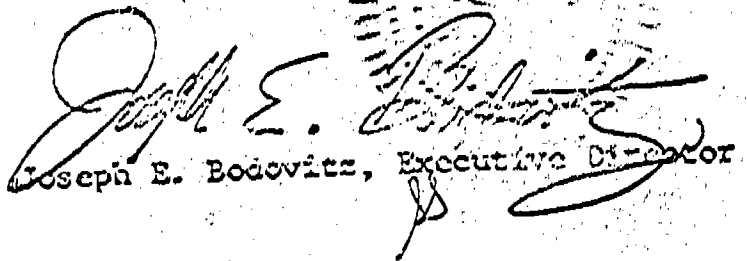
6. The Class B certificate of public convenience and necessity granted by this order does not authorize round-trip sightseeing-tour service, which is not subject to regulation by this Commission. It does, however, permit applicant to offer charter service to a sightseeing-tour operator.

This order is effective today.

Dated MAR 21 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