

Decision 84 03 084

MAR 21 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
Como Beaver and Ruth Beaver
Beaver Limousine Service for a
Class B charter bus certificate
from home terminal in Rowland Heights.

Application 84-01-17
(Filed January 6, 1984)

O P I N I O N

Applicants Como Beaver and Ruth Ann Beaver, doing business as Beaver Limousine Service, request a certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers from a service area within 40 miles of their terminal located at 19635 Galeview Drive in Rowland Heights in Los Angeles County.

Notice of filing of the application was published in the Commission's Daily Transportation Calendar of January 13, 1984. No protests to the application have been received.

The application shows that applicants intend to use one 1983 Cadillac Brougham limousine in the proposed service. Applicants have no experience in the transportation of passengers over the public highways.

Applicants aver that they have been requested by several parties in the community to provide a business and personal transportation service.

Applicants are also sole shareholders in Beaver Construction Co., Inc. which they operate in Rowland Heights. An income statement for this company attached to the application covering the 12-month period ended November 30, 1983 indicates annual revenues of \$228,295, expenses of \$201,302, and a net income before taxes of \$26,993. A balance sheet for Beaver Construction Co., Inc. as of November 30, 1983 indicates assets of \$43,731, liabilities of \$16,613, and total shareholders' equity of \$27,118.

Public Utilities (PU) Code § 5375 provides, inter alia, that if the Commission finds that applicants possess satisfactory fitness and financial responsibility to initiate and conduct the proposed charter-party bus service, the sought authority shall be issued. We believe that applicants' fitness and financial responsibility may be inferred from the results of operations shown in connection with their construction business. In the circumstances, the certificate will be granted.

Findings of Fact

1. Applicants request a Class B charter-party bus certificate authorizing operations from a service area within 40 miles from their home terminal located at 19635 Galeview Drive in Rowland Heights.
2. Applicants will operate one 1983 Cadillac Brougham limousine in the proposed service.
3. As of November 30, 1983 applicants' shareholder equity in Beaver Construction Co., Inc. was worth \$27,118.
4. Applicants have shown that there is a public need and demand for the proposed service.
5. Applicants possess the fitness and financial responsibility to perform the proposed service.
6. The application is not protested.
7. A public hearing is not necessary.
8. 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 Como Beaver and Ruth Ann Beaver authorizing them to operate as a Class B charter-party carrier of passengers, as defined in PU Code § 5383, from a service area with a radius of 40 air miles from applicants' home terminal at 19635 Galeview Drive, Rowland Heights.

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 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, 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. It does, however, permit applicants 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

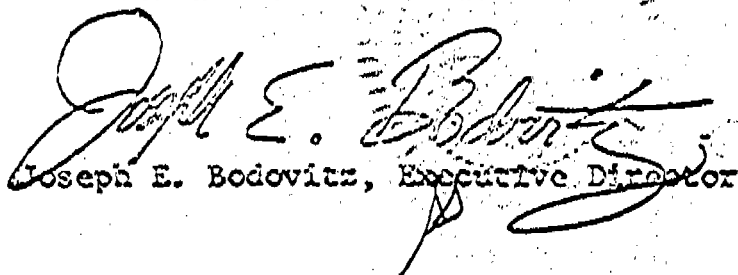
PRISCILLA C. GREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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


Joseph E. Bodovitz, Executive Director