

Decision S4 03 097

MAR 21 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
of RENE M. MEDINA, INC. dba LUCKY
TOURS, INTERNATIONAL, for a
Class B charter bus certificate
from home terminal in South
San Francisco, California.

Application 83-11-61
(Filed November 28, 1983)

O P I N I O N

Applicant Rene M. Medina, Inc., doing business as Lucky Tours, International, was incorporated in California on September 22, 1983. A certified copy of its articles of incorporation was filed with this application.

Applicant has applied for a certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers from a terminal at 332 North Canal Road, South San Francisco, California. Applicant is the owner of a 1976 and a 1977 MCI bus. Each vehicle has a capacity of 47 passengers. Applicant has held no prior Commission authority, although its president has been chartering buses through a tour agency since 1976.

Applicant's financial statement dated October 31, 1983 shows assets of \$256,000 and liabilities of \$7,000. The estimated annual results of operations lists a charter revenue of \$180,000, and total operating expenses of \$109,940.

Notice of the filing of the application appeared on the Commission's Daily Transportation Calendar on December 2, 1983. No protest or request for public hearing has been received.

Findings of Fact

1. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service.

2. Public convenience and necessity require the service proposed by applicant.

3. Applicant should be authorized to pick up passengers within a radius of 40 air miles from its home terminal at 332 North Canal Road, South San Francisco, California.

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.

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 Rene M. Medina, Inc. authorizing it 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 applicant's home terminal at 332 North Canal Road, South San Francisco, California.

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 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.

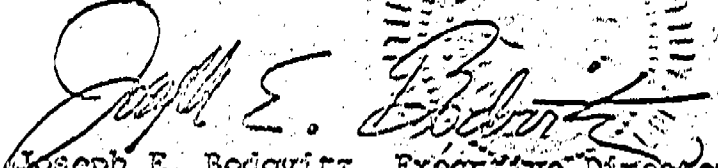
6. The Class B certificate of public convenience and necessity granted by this order does not authorize round-trip sightseeing-tour service, which is not subject to regulation by this Commission. It does, however, permit applicant to offer charter service to a sightseeing-tour operator.

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. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director