

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of FRANK E. WETZEL, dba FRANKLIN TOURS and TRAVEL, for a Class B charter bus certificate from home terminal in SAN LUIS OBISPO, California.

Application 83-12-22  
(Filed December 12, 1983)

O P I N I O N

Franklin E. Wetzel (applicant), doing business as Franklin Tours and Travel, seeks a certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers from a terminal at 1171 Toro Street, San Luis Obispo. Applicant has never been issued any operating authority by this Commission, although he has four years experience scheduling group charters by bus. He owns one 1972 Eagle 40-passenger bus.

Applicant's financial statement dated October 31, 1983 shows assets of \$74,500 and liabilities of \$40,677. Profit for the 10-month period from January 1, 1983 through October 31, 1983 is listed as \$48,268. The estimated annual result of charter operations lists a projected revenue of \$100,000 and expenses of \$63,600.

Notice of the filing of the application appeared in the Commission's Daily Calendar on December 19, 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 his home terminal at 1171 Toro Street, San Luis Obispo.

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 Franklin E. Wetzel authorizing him 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 1171 Toro Street, San Luis Obispo.

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.

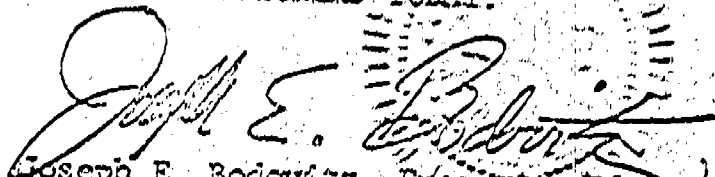
6. The Class B certificate of public convenience and necessity granted by this order does not authorize round-trip sightseeing-tour service, which is not subject to regulation by this Commission. It does, however, permit applicant to offer charter service to a sightseeing-tour operator.

This order becomes effective 30 days from today.

Dated MAR 21 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
FRISCILLA 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