

Decision 84 04 029

APR 4 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
of PHILLIP R. BURDICK and
PATRICIA A. BURDICK for a Class B
charter bus certificate from
home terminal in Lakeside.

Application 84-02-09
(Filed February 3, 1984)

O P I N I O N

Phillip R. Burdick and Patricia A. Burdick, doing business as Starlight Limousines, a partnership, have applied for a certificate of public convenience and necessity as a Class B charter-party carrier of passengers (Public Utilities (PU) Code Sections 5371 to 5375).

No other Commission operating authority has been held by applicants.

Phillip Burdick states that he has 1½ years experience in the operation of limousine services.

Applicants state that they intend to operate limousines to be leased/purchased through Dillinger & Gaines Leasing in providing the proposed transportation service. Applicants allege that the proposed operations are required:

"Population growth in San Diego requires an increase in number & quality of limousine services. Upcoming Olympic events in S.D. will require increased limousine services."

Applicants' total assets are \$91,000. It is projected that the typical year's revenue mileage will be 40,000 miles producing a revenue of \$110,000.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of February 9, 1984. No protests have been received.

Findings of Fact

1. Applicants have the ability, experience, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the service proposed by applicants.
3. Applicants should be authorized to pick up passengers within a radius of 40 air miles from their home terminal at 9632 Acacia Street, Lakeside, San Diego County.
4. No protest has been received and a public hearing is not necessary.
5. 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 have been demonstrated and a certificate should be granted.
2. This order should become effective immediately as public convenience and necessity have been demonstrated.

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 Phillip R. Burdick and Patricia A. Burdick authorizing them 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 applicants' home terminal at 9632 Acacia Street, Lakeside, San Diego County.

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 vehicles 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 is effective today.

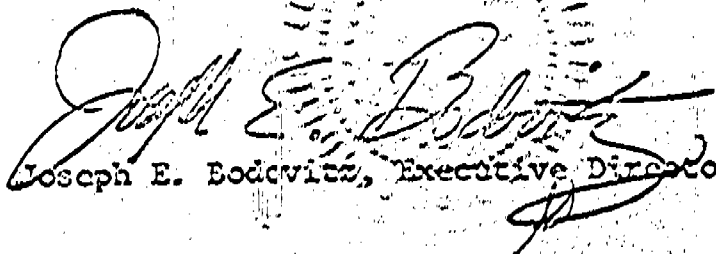
Dated APR 4 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

Commissioner William T. Bagley
being necessarily absent, did
not participate.

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


Joseph E. Bodovitz, Executive Director