

Decision 84 04. 082

APR 18 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
YOU HYUN KIM and TAE JOON KIM,)
dba HEBARAGI SIGHTSEEING CO., for a)
Class B charter bus certificate from)
home terminal in Los Angeles,)
California.)

Application 84-01-58
(Filed January 26, 1984)

O P I N I O N

You Hyun Kim and Tae Joon Kim, a partnership, doing business as Hebaragi Sightseeing Company, have applied for a certificate of public convenience and necessity as a Class B charter-party carrier of passengers (Public Utilities (PU) Code §§ 5371 to 5375).

No other Commission operating authority has been held by applicants.

Applicants state that the partners have had experience in the operation of bus services as drivers of 38-passenger buses, intercity, for the Los Angeles Sightseeing Corporation from 1980 to 1983.

Applicants have advised the staff that they propose chartering their 21-seat bus to tour agents and other bonafide groups, with charges to be paid on a time or mileage basis.

Applicants also state that they intend to perform bilingual tours for Korean tourists on an on-call basis. Applicants allege that the proposed operations are required by Korean-speaking tourists because there are insufficient bus services available for them. No authority is required from the Commission for this service if it is provided on a round-trip basis.

Applicants' total assets are \$121,500; \$80,000 of this is attributed to applicants' 1984 El Dorado 21-passenger bus. It is projected that the typical year's revenue mileage will be 30,000 miles, producing a revenue of \$45,000.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of January 31, 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 Los Angeles.
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 You Hyun Kim and Tae Joon Kim, a partnership, 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 Los Angeles.
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.

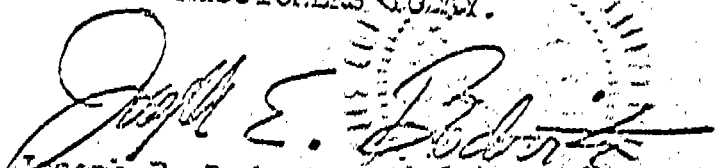
6. The Class B certificate of public convenience and necessity granted by this order does not authorize round-trip sightseeing-tour service, which is not subject to regulation by this Commission. It does, however, permit applicants to offer charter service to a sightseeing-tour operator.

This order is effective today.

Dated APR 18 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 SIGNIFY.


Joseph E. Bodovitz, Executive Director