

ORIGINAL

Decision 84 C5 028 MAY 2 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of BENJAMIN RODRIGUEZ dba ACTION)
LIMOUSINE SERVICE for a Class B)
charter bus certificate from)
home terminal in 1360 Hacienda)
Dr., Ontario, Ca. 91764.)

Application 84-01-37
(Filed January 17, 1984;
amended March 2, 1984)

O P I N I O N

Benjamin Rodriguez, an individual, doing business. as Action Limousine Service, has 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 applicant.

Applicant states that he has had no experience in the operation of bus service.

Applicant proposes to operate a limousine service for up to eight passengers using a 1981 Lincoln stretch vehicle of over 20 feet in length.

Applicant alleges that the proposed operations are required because the cities proposed to be served are all continuously visited by out-of-state tourists, many of whom arrive by air and many of whom require specific transportation needs. Applicant also proposes offering special services for weddings and special occasions.

Applicant's total assets are \$302,000; \$28,000 of this is attributed to applicant's "closed-end" leasehold interest in the 1981 vehicle described above. It is projected that a year's revenue miles will be 75,000 miles producing \$75,000 in revenue.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of January 24, 1984. No protests have been received.

Findings of Fact

1. Applicant has the ability, 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 1360 Hacienda Drive, Ontario, California.
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 Benjamin Rodriguez authorizing him 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 applicant's home terminal at 1360 Hacienda Drive, Ontario, 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 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.

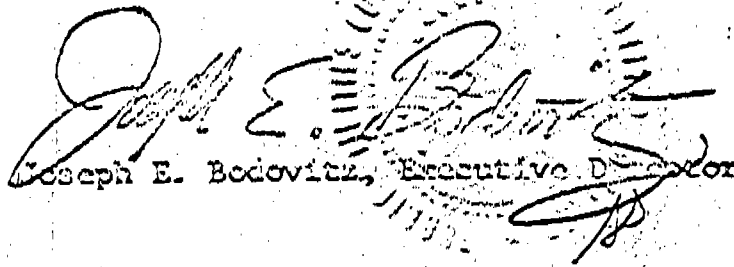
6. The Class B certificate of public convenience and necessity granted by this order does not authorize round-trip sightseeing-tour service, which is not subject to regulation by this Commission. It does, however, permit applicant to offer charter service to a sightseeing-tour operator.

This order is effective today.

Dated MAY 2 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