

Decision 84 06 067

JUN 6 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of Jay Weitz and Chuck H. Boyd, )  
doing business as Elan Livery, )  
Ltd., for a Class B charter bus )  
certificate from home terminal )  
in Culver City. )

Application 84-03-89  
(Filed March 29, 1984)

O P I N I O N

Jay Weitz and C. H. Boyd, III, a partnership, doing business as Elan Livery, Ltd., 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 Commission operating authority has been held by applicants. Applicants state that they intend to operate six stretch limousines to provide the proposed transportation service. Applicants allege that the proposed operations are required:

"There has been a significant increase in executive traffic in the Los Angeles area. The high cost of taxi-cabs has created a high demand for personalized transportation. Limousines are now experiencing an increased use by executives as a labor saving device and for an increase in efficiency."

Applicants' total assets are \$88,300, \$47,000 of which is attributed to applicants' first of six limousines. It is projected that the typical year's mileage will be 225,000 miles producing a revenue of \$150,000.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of April 3, 1984. No protests have been received.

Findings of Fact

1. Applicants have the ability, 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 9901 West Washington Boulevard, Culver City.
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 Jay Weitz and C. H. Boyd III 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 9901 West Washington Boulevard, Culver City.

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 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 (GO) Series 115.

4. In providing service under the certificate, applicants shall comply with GO Series 98 and 115 and the CHP safety rules.

5. Prior to initiating service to any airport, applicant shall notify the airport authority involved. 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.

7. The application is granted as set forth above.

This order is effective today.

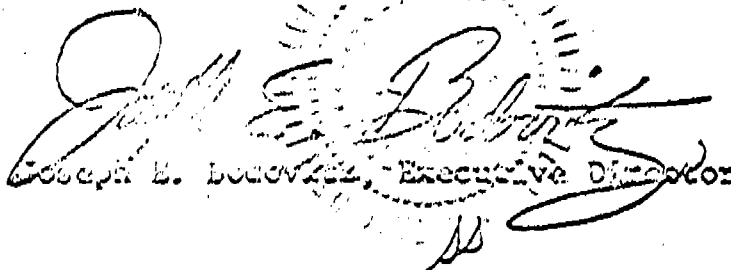
Dated JUN 6 1984, at San Francisco, California.

LEONARD M. CRIMES, JR.  
President

VICTOR CALVO  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

Commissioner Priscilla C. Crew,  
being necessarily absent, did  
not participate

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

  
Joseph E. Lovovick, Executive Director

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4. In providing service under the certificate, applicants shall comply with GO Series 98 and 115 and the CHP safety rules.

5. This certificate does not authorize the holders 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.