

Decision 84 CG 170 June 20, 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of Pio Tan Acayan and Grace Ann)
Acayan, doing business as ARK OF)
NOAH LIMOUSINE SER., for a Class B)
charter bus certificate from home)
terminal in Cerritos, CA.)

Application 84-04-097
(Filed April 18, 1984)

O P I N I O N

Pio Tan Acayan and Grace Ann Acayan, a partnership, doing business as Ark of Noah Limousine Service, 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 one 1984 Cadillac stretch sedan in providing the proposed transportation service. Applicants allege that the proposed operations are required.

Applicants' total assets are \$66,098, \$47,348 of which is attributed to applicants' limousine. It is projected that the typical year's mileage will be 25,000 miles producing charter revenues of \$16,800.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of April 26, 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 17656 Palo Verde, Cerritos.

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 Pio Tan Acayan and Grace Ann Acayan, 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 17656 Palo Verde, Cerritos.

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.
- d. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

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

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.

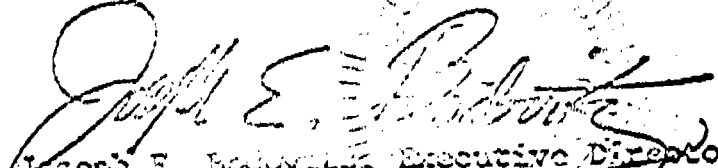
7. The application is granted as set forth above.
This order is effective today.

Dated JUN 20 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. Bolovitz, Executive Director

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