

ORIGINAL

Decision 84 OS 181

JUN 20 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of MAGICTOURS, INC. for a Class)	Application 84-04-129
B charter bus certificate from)	(Filed April 26, 1984)
home terminal in San Diego, San)	
Diego County, California.)	
_____)	

O P I N I O N

Magictours, Inc., a California corporation, 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 it has had experience in the operation of bus services:

"Applicant's management has been engaged in transporting passengers in the City of San Diego since 1979; and, one has been driving intercity coaches since 1978. Applicant has been engaged in coordinating tour operations since 1976. Applicant has storage yard space available for about eight mini-buses. It also has arrangements for outside repair of equipment. It has office and shops available for the route control and daily maintenance of its equipment."

Applicant also states that it "proposes to serve those organizations needing a bus for transportation suitable to the needs of these various groups, such as: churches, senior citizens, manufacturers, athletic, etc. to points of interest in California. Applicant has contacted several representatives of such groups and has had a favorable response. Applicant will initially operate with mini-buses, enabling it to serve smaller groups than the ordinary carrier could handle. It will provide spanish speaking drivers and will cater to the spanish speaking community in the San Diego County area; which, along with the general population in the county, is growing steadily. Representatives contacted of traveling groups have indicated that they will use such services, especially spanish speaking services, when made available."

Applicant's total assets are \$189,760, \$57,000 of which is attributed to applicant's two buses. It is projected that the typical year's mileage will be 75,000 miles producing a revenue of \$111,000.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of May 2, 1984. No protests have been received.

Findings of Fact

1. Applicant has the ability, experience, 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 its home terminal at 6618 Appert Court, San Diego.
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 Magictours, Inc. authorizing it 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 applicant's home terminal at 6618 Appert Court, San Diego.

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 vehicles 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, applicant shall comply with General Orders 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 applicant to offer charter service to a sightseeing-tour operator.

7. The application is granted as set forth above.

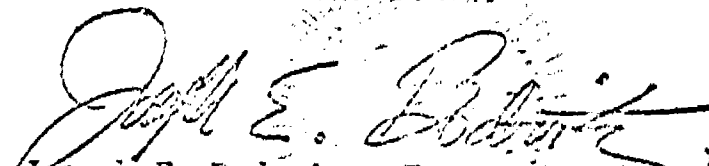
This order is effective today.

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. Bodovius, Executive Director

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