

T/ctb

Decision 84 06 182

JUN 20 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of Malibu Coach Company, Inc.)
for a Class B charter bus)
certificate from home terminal)
in Los Angeles.)

Application 84-03-39
(Filed March 12, 1984)

O P I N I O N

Malibu Coach Company, 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's president, Dino Colotta, who will be the driver, states that he has had experience as a chauffeur for the Sheraton-Miramar Hotel in Santa Monica.

Applicant states that it intends to offer service to bona-fide charter-party groups in the general public and base its charges on time or mileage or both. Applicant will use a 1983 stretch Cadillac limousine.

Applicant's total assets are \$50,600, of which \$47,400 is attributed to applicant's motor vehicle equipment. It is projected that the typical revenue mileage for a year will be 30,800 miles, producing a revenue of \$30,800.

Notice of the filing of this application appeared in the Commission's Daily Calendar Transportation Calendar of March 13, 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 18964 Pacific Coast Highway, Malibu.
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 Malibu Coach Company, Inc. authorizing it to operate as a Class B charter-party carrier of passengers, as defined in PU Code Section 5383, from a service area within a radius of 40 air miles from applicant's home terminal at 18964 Pacific Coast Highway, Malibu.
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(s) 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 Section 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 received 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.

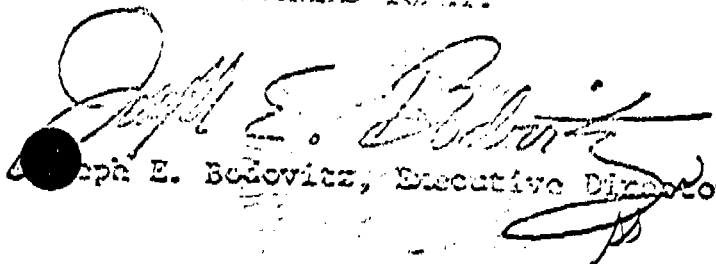
7. The application is granted as set forth above.
This order is effective today.

Dated June 20, 1984, at San Francisco, California.

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

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners


Joseph E. Belevitz, Executive Director

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. 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
PRESQUELLA C. GREW
DONALD VIAL
WILLIAM H. BAGLEY
Commissioners