

Decision S4 07 043

JUL 5 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
 JESSE WHANN STUDIO BUS LEASING for
 a Class B charter bus certificate
 from home terminal in Burbank,
 California.

Application 84-05-092
 (Filed May 24, 1984)

O P I N I O N

Jesse Whann and Connie Whann, a partnership, doing business as Jesse Whann Studio Bus Leasing, have applied for a certificate of public convenience and necessity as a Class B charter-party carrier of passengers (Public Utilities (PU) Code §§ 5371 to 5375).

No other Commission operating authority has been held by applicant.

Applicants state that Jesse Whann has had experience in the operation of bus services as a driver for Continental Trailways, Tanner Gray Lines and other bus operators.

Applicants state that they intend to perform charter service for small groups. Applicants allege that the proposed operations are required by requests for charter service, in addition to applicants' contracted studio bus services.

Applicants' total assets are \$126,910; \$115,500 of this is attributed to applicants' five buses. It is projected that the typical year's revenue mileage will be 85,000 miles producing a revenue of \$73,905.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of June 1, 1984. No protests have been received.

Findings of Fact

1. Applicants have the ability, experience, 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 15600 Sherman Way, Burbank.

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 Jesse Whann and Connie Whann authorizing them 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 applicants' home terminal at 15600 Sherman Way, Burbank.

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(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 § 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 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.

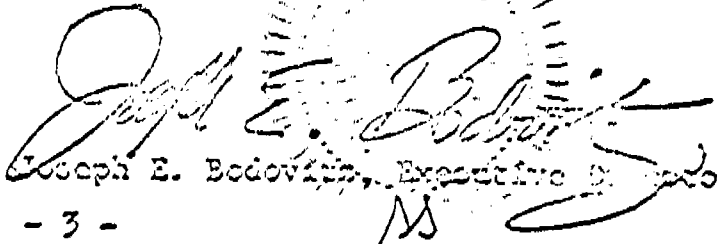
7. The application is granted as set forth above.

This order is effective today.

Dated JUL 5 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. Bodovick, Executive Director