

Decision S4 07 047

JUL 5 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of MICHAEL EUGENE BROWN doing)
business as MICHAEL'S TRANSPORTA-)
TION SERVICE for a Class B charter)
bus certificate from home terminal)
in Vallejo.)

Application 84-04-041
(Filed April 4, 1984)

O P I N I O N

Michael Eugene Brown, an individual, doing business as Michael's Transportation Service, 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 Commission operating authority has been held by applicant. Applicant has experience transporting handicapped adults and children and high school and elementary school students. Applicant states that he intends to operate two buses and one van in providing the proposed transportation service. Applicant alleges that the proposed operations are required because insufficient service is offered in the area.

Applicant's total assets are \$28,450, \$11,300 of which is attributed to applicant's buses and van. It is projected that the typical year's mileage will be 56,400 miles producing a revenue of \$50,000.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of April 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 his home terminal at 245 Holly Street, Vallejo.
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 Michael Eugene Brown authorizing him 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 applicant's home terminal at 245 Holly Street, Vallejo.
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 JUL 5 1984, at San Francisco, California.

LEONARD M. CRIMES, JR.
President

VICTOR CALVO

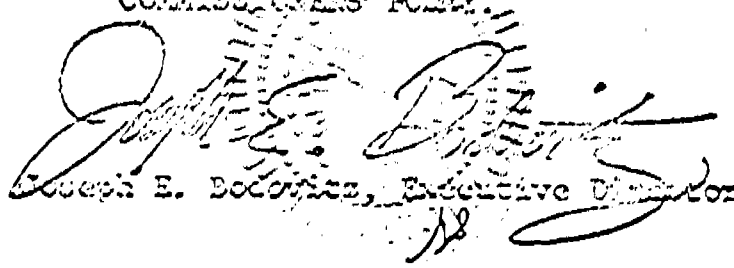
PRISCILLA C. GREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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


Joseph E. Bodovitz, Executive Director