

ORIGINAL

Decision 84 07 056

JUL 5 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Russell E. Blalack, Inc. for a
Class B charter bus certificate from
home terminal in Santa Clara.

} Application 84-03-93
(Filed March 30, 1984)

O P I N I O N

Russell E. Blalack, Inc. (applicant) was incorporated in California on June 1, 1980. A certified copy of the Articles of Incorporation is attached to the application. Applicant is applying for a certificate of public convenience and necessity as a Class B charter-party carrier of passengers (Public Utilities Code §§ 5731 to 5735) out of a terminal in Cupertino (Santa Clara County), California.

Applicant has never held operating authority from this Commission, but its president has eight years experience as a driver and dispatcher of limousines. Applicant will initiate service with a 6-passenger 1984 Cadillac limousine. It is alleged that prospective customers have requested service. Those who inquired prefer to travel in a small luxury vehicle. It is further alleged that public convenience and necessity require that the proposed operation be authorized. Applicant's assets total \$32,751 and its liabilities \$17,500. It is projected that the typical year's revenue mileage will be 50,000 passenger miles producing a revenue of \$72,000.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of April 5, 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 1081 Milky Way, Cupertino, California 95014.

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 Russell E. Blalack, 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 1081 Milky Way, Cupertino, California 95014.

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 § 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 CEP 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 CEP safety rules.

5. Prior to initiating service to any airport, the 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. GRIMES, JR.
President

VICTOR CALVO

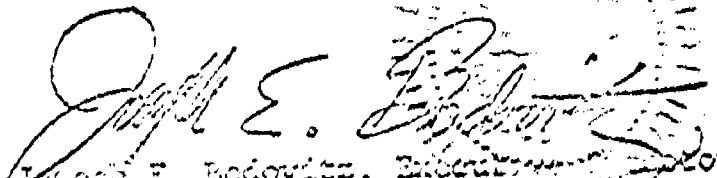
PRISCILLA C. GREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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


Joseph E. Bedovitz, Enforcement Director