

Decision 84 OS 093

AUG 1 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Action Bus Company, Route 2, Box
2564, Davis, California 95616, for
a Class B charter bus certificate
from home terminal in Yolo County,
California.

Application 84-05-013
(Filed May 2, 1984)

O P I N I O N

This is an application by Action Bus Company, a nonprofit public benefit corporation (applicant), seeking a certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers. Applicant requests authority to operate from a service area within a radius of 40 air miles from a terminal in Davis.

Notice of the application appeared in the Commission's Daily Calendar on May 8, 1984. There are no protests.

The Commission makes the following findings and conclusions.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Applicant is a newly formed nonprofit public benefit corporation which was incorporated on April 16, 1984. Its officers are Catherine L. Tangren, Chairman of the Board and Chief Operations Officer, and Lois C. Richerson, Secretary and Chief Financial Officer/Treasurer.
3. Applicant presently has no assets. Catherine L. Tangren, her husband Robert F. Tangren, Jr., and Lois C. Richerson have agreed to underwrite its operations until it is self sufficient. Catherine L. Tangren will lease applicant two 1965 49-passenger flexible buses to conduct operations.
4. Catherine L. Tangren has been in the transportation field since 1980. She is the founder, director, general manager, and

driver for a local school bus company. She holds a Class II driver's license and a School Bus Driver's Certificate. She has also acted as a driver for four local bus companies or school districts.

Robert F. Tangren, Jr. is a registered professional engineer and the vice president of a local school bus company. Lois C. Richerson has been a consultant for public and private research, service, and development organizations. She manages a family farm. She has been involved in public service projects for many years.

5. There is no charter-party carrier based in Davis.

Applicant proposes to provide service to local organizations including Pop Warner Football, Fleet Feet Runners, Little League, Double Century bicycle riders, Yolo County Manpower, junior and senior high school sports teams, private schools in Davis, preschool organizations, other civic groups from the City of Davis, and the University of California at Davis.

6. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service.

7. Public convenience and necessity require the service proposed by applicant.

8. Applicant should be authorized to pick up passengers within a radius of 40 air miles from its home terminal on Road 31, one-half mile east of Road 95, Davis, Yolo County.

9. 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 Action Bus Company, a nonprofit public benefit corporation, 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 on Road 31, one-half mile east of Road 95, Davis, Yolo County.

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 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.

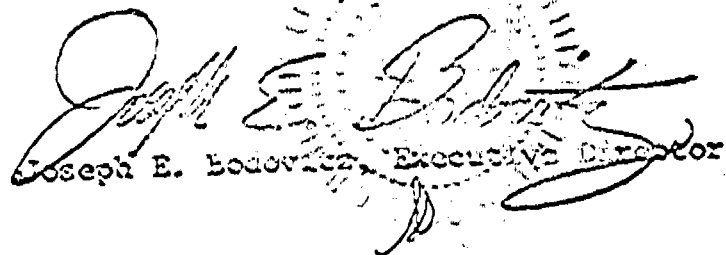
Dated AUG 1 1984, at San Francisco, California.

Commissioner Priscilla C. Grew,
being necessarily absent, did
not participate

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
DONALD VIAL
Commissioners

Commissioner William T. Bagley
being necessarily absent, did
not participate.

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


Joseph E. Bodovitz, Executive Director