

Decision 84-09-066 September 6, 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
International Air Service Company,
Ltd., for a Class B charter bus
certificate from home terminal in
Napa, Calif.

Application 83-09-68
(Filed September 26, 1983)

O P I N I O N

International Air Service Company, Limited (applicant) has applied for a Class B charter-party certificate (§ 5351 et seq., Public Utilities (PU) Code). We take official notice that applicant already holds a charter-party permit issued under PU Code § 5384(a).

Our staff has investigated the background of this application.¹ It was apparently filed at the insistence of San Francisco Airport (SFO) police officers who have suggested that it may be unlawful for applicant, under its permit, to pick up passengers at the airport.

Applicant operates a commercial school for airline employees in Napa. The service is provided under a contract with the students' employer. Its only transportation function is to pick up incoming class members at SFO, transport them to Napa and back again when the session is completed. All passengers are students at the school. Applicant does not engage in any business under which it charters its bus to any other individual or group.

Finding of Fact and
Conclusions of Law

We find that applicant transports only its own students. We conclude as a matter of law that applicant already possesses

¹ The staff advice of participation is Exhibit 1 in this matter.

sufficient operating authority to conduct the transportation operations discussed above. We further conclude that it does not require Class B charter-party authority to conduct such operations. Since this application was filed when it was not necessary, it should be dismissed without prejudice and applicant's filing fee should be returned.

O R D E R

IT IS ORDERED that this application is dismissed without prejudice; the Executive Director is authorized to refund applicant's filing fee.


This order becomes effective 30 days from today.

Dated SEP 6 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

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

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


Joseph E. Bodovitz, Executive Director