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Decision 84 10 073

OCT 17 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 William S. Morrison and Mark D.)
 Melville, doing business as Billmark)
 Executive Limo Service, for a Class)
 B charter bus certificate from home)
 terminal in San Carlos.)

Application 84-09-015
 (Filed September 5, 1984)

O P I N I O N

William S. Morrison and Mark D. Melville, a partnership doing business as Billmark Executive Limousine Service, 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 they have had no previous experience in the operation of passenger service.

Applicants state that they intend to perform a limousine service. Applicants allege that the proposed operations are required as their survey shows a need for additional services on the San Francisco peninsula. Applicants state that in addition to routine charter work, their extensive background in law enforcement affords them opportunity to provide total security drivers, which most other services do not provide. Applicants believe there is a great demand for such type of limousine service.

Applicants' total assets are \$34,680; \$24,480 of this is attributed to applicants' limousine. It is projected that the typical years's revenue mileage will be 10,000 passenger miles.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of September 13, 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 523 Chestnut Street, San Carlos.
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 William S. Morrison and Mark D. Melville 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 523 Chestnut Street, San Carlos.

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 holders 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.

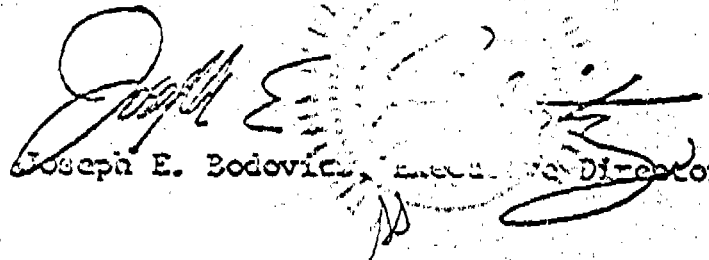
6. The Class B certificate of public convenience and necessity granted by this order does not authorize round-trip sightseeing-tour service, which is not subject to regulation by this Commission. It does, however, permit applicants to offer charter service to a sightseeing-tour operator.

7. The application is granted as set forth above.
This order is effective today.

Dated OCT 17 1984, at San Francisco, California.

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

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS


Joseph E. Bodovick, Executive Director