

ALJ/jt

Decision 84 11 041 NOV 7 1984**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 James Alfred Ard, dba Ecstasy )  
 Limousine Service, 3314 Faircrest )  
 Drive, for a Class B charter bus )  
 certificate from home terminal in )  
 Anaheim, California. )

Application 84-09-034  
 (Filed September 14, 1984)

O P I N I O N

James Alfred Ard, an individual, doing business as Ecstasy Limousine Service, has 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).

Applicant has held prior temporary authority as a charter-party carrier (TCP 484-B).

Applicant states that he has had experience in the operation of passenger services under his temporary authority.

Applicant states that he intends to perform a limousine service. He alleges that the proposed operations are required to serve hotels and motels in the Anaheim area.

Applicant's total assets are \$153,250; \$50,000 of this is attributed to applicant's two limousines. It is projected that the typical year's revenue mileage will be 20,000 passenger miles.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of September 24, 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 3314 Faircrest Drive, Anaheim.

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 James Alfred Ard authorizing him 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 3314 Faircrest Drive, Anaheim.

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 NOV 7 1984, at San Francisco, California.

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

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS

  
Joseph E. Bodovick, Executive Director