

L/MMA/lmz

Mailed

JUN 20 1988

**ORIGINAL**

Decision 88 06 055 JUN 17 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of John E. Kindt, Jr., d/b/a Prime )  
Time Limousine Service, for a )  
certificate of public convenience )  
and necessity to extend his passen- )  
ger stage service between points )  
in the Los Angeles, Orange, San )  
Bernardino, and Ventura counties, )  
on the one hand, and Los Angeles )  
International, Burbank, Long Beach, )  
Ontario International, John Wayne )  
Airports, and Long Beach, San Pedro )  
Harbors, on the other hand. )

Application 86-12-045  
(Filed December 22, 1986)

ORDER MODIFYING DECISION (D.) 88-03-046  
AND DENYING REHEARING

The Los Angeles Department of Transportation has filed an application for rehearing of Decision (D.)88-03-046. We have carefully considered the allegations raised in the petition and are of the opinion that good cause for rehearing has not been shown. None of the allegations are sufficient to constitute legal error. The Commission properly determined that public convenience and necessity would be best served by granting Prime Time a certificate to serve the proposed areas. No matter how construed, the inadvertent use of "technically suspended" does not rise to the level of legal error. However, the decision should be modified as follows. Therefore,

IT IS HEREBY ORDERED:

1. The first paragraph on page 5 is modified to state:

"By virtue of applicant's past performance, he has shown capability of providing the proposed service. His growth in the one-year period he has been operating demonstrates that the public desires the van-type service he provides. Likewise, applicant has demonstrated that his services were completely covered by insurance at all times, including the two-month period of suspension for failure to file the proper form with the Commission."

2. Finding of Fact #5 on page 6 should read:

"Applicant's insurance coverage has been in full force and effect at all times, as required by the Commission, notwithstanding a two-month suspension for lack of such evidence on file with the Commission."

IT IS FURTHER ORDERED:

Rehearing of D.88-03-046, as modified herein, is denied.  
This order is effective today.

Dated JUN 17 1988, 1988, at San Francisco, California.

STANLEY W. HULETT  
President  
DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
JOHN B. OHANIAN  
Commissioners

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

*Victor Weiss*  
Victor Weiss, Executive Director

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*Victor Weisser*  
Victor Weisser, Executive Director