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Decision 92-07-008 July 1, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
Greyhound Lines, Inc., a Corporation, )	
For Authority to Self-Insure Its )	Application 92-01-028
Highway Common Carrier Operations, )	(Filed January 15, 1992)
Pursuant to Public Utilities )	
Commission General Order No. 100-L. )	

O P I N I O N

By this application, Greyhound Lines, Inc. (Greyhound) seeks authority to self-insure its highway common carrier operations pursuant to General Order (GO) 100-L.

Grounds for Relief Requested

Greyhound's application sets forth the grounds for the relief it requests as follows:

\*On February 9, 1989, Greyhound was granted continuing authority by the Interstate Commerce Commission (ICC) to self-insure its bodily injury and property damage liability. On May 22, 1989, Greyhound filed Application No. 89-05-051 with this Commission in which it requested acceptance of the ICC's self-insurance order pursuant to G.O. Nos. 101-E and 115-D. Said application specifically mentioned Greyhound's passenger stage and charter-party operations but, through inadvertence or oversight, did not mention operations performed under the said highway common carrier certificate.

\*In Decision 89-09-036 dated September 7, 1989, this Commission granted Greyhound's application subject to certain specifically delineated conditions which conditions Greyhound has complied with in all particulars. Ordering Paragraph 5 of the Decision states that it shall remain in effect until further order of this Commission so long as Greyhound's ICC authority to self-insure remains in effect.

"Decision No. 89-09-036 has not been disturbed by this Commission since its issuance and remains in full force and effect. Further, as set forth in the declaration of George W. Hanthorn attached hereto, Greyhound's continuing ICC authority to self-insure also remains in full force and effect.

"Based upon the foregoing, Greyhound's common carrier operations described above performed under its said highway common carrier certificate should be included within the scope of the self-insurance authority already in place with this Commission and the ICC. Indeed, it was only by reason of inadvertence that the Greyhound's common carrier operations were not included in Application No. 89-05-051 which inclusion would have brought such operations under the ordering paragraph of Decision 89-09-036 authorizing Greyhound's self-insurance.

"If this application is granted, Greyhound will continue to fulfill the conditions imposed in Decision 89-09-036 and any other reasonable conditions this Commission might require."

Findings of Fact

1. Decision (D.) 89-09-036 granted Greyhound's application to self-insure its passenger stage and charter party operations in California.
2. Through inadvertence, Greyhound's Application 89-05-051 failed to request self-insurance of its California highway common carrier operations.
3. This application requests self-insurance of Greyhound's California highway common carrier operations upon the same conditions as were imposed on Greyhound by D.89-09-036.
4. This application appeared regularly on the Commission's Daily Transportation Calendar; no protests have been received.
5. Transportation Division recommends ex parte approval of the application.
6. A public hearing is not necessary.

Conclusions of Law

1. The application should be granted.
2. In addition to the affidavit required by GO 100 series, Greyhound should be required to submit to this Commission each calendar quarter a written declaration, under penalty of perjury, affirming Greyhound's continued authority to be self-insured. Because of the need for prompt action in order to minimize potential financial hardship, this order should be effective today.

ORDER

IT IS ORDERED that:

1. The self-insurance application of Greyhound Lines, Inc. (Greyhound) is granted.
2. As a condition of the authority granted by this decision and in addition to the affidavit required by General Order 100 series, Greyhound shall furnish the License Section of this Commission's Transportation Division each calendar quarter with a written declaration, under penalty of perjury and signed by an authorized officer of Greyhound, that the authority granted by the Interstate Commerce Commission (ICC) allowing Greyhound to be self-insured is in effect. Quarterly declarations shall be submitted no later than the 15th day of each April, July, October, and January during the period this authority is in effect.
3. Greyhound shall inform this Commission's License Section immediately if it is not in full compliance with all conditions required by the ICC to be self-insured, or if the ICC has revoked or suspended, or initiated any proceeding to revoke or suspend, Greyhound's authority to be self-insured.
4. If any quarterly declaration is not timely received, or if the Commission is informed that Greyhound's ICC authority to self-insure has been suspended or revoked, the License Section shall take immediate steps to suspend the operating authorities

held by Greyhound, until Greyhound files adequate proof of liability coverage as required by the Commission's General Orders.

5. The authority granted by this decision shall remain in effect until further order of this Commission, so long as Greyhound's ICC authority to self-insure remains in effect.

This order is effective today.

Dated July 1, 1992, at San Francisco, California.

DANIEL Wm. FESSLER  
President  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
NORMAN D. SHUMWAY  
Commissioners

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

  
NEAL J. SULMAN, Executive Director