

ORIGINAL

Decision 82 01 29

JAN 5 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of ANGELO GIORDANO for a Class)
B charter bus certificate from)
home terminal in Santa Fe Springs,)
California.)

Application 60697
(Filed June 30, 1981)

Angelo Giordano, for himself, applicant.
R. D. Rierson, Attorney at Law (Illinois),
for Greyhound Lines, Inc., protestant.

O P I N I O N

Applicant Angelo Giordano requests authority to operate as a Class B charter-party carrier of passengers within a radius of 40 air miles from his home terminal at 11910 Greenstone Street, Santa Fe Springs.

Greyhound Lines, Inc. (Greyhound) filed a protest and request for hearing of this application in conformity with Article 2.5 of our Rules of Practice and Procedure (Title 20, California Administrative Code). Hearing was held in Los Angeles before Administrative Law Judge Main on November 5, 1981.

At the hearing, applicant and Greyhound reached an agreement under which applicant would modify his request by specifying that the authority sought is for, and should be confined to, operating one bus; Greyhound in turn would withdraw its protest if the Commission restricts the Class B certificate applied for to the operation of not more than one bus. If applicant ever wishes to operate more buses, he may file an application to modify this decision.

Applicant proposes to operate one 1976 Belgian Eagle 46-passenger bus, which he owns. He also owns and operates a tour agency and has been arranging charters and driving charter buses for about five years. His net worth is in excess of \$200,000.

Findings of Fact

1. Applicant has the ability, experience, equipment, and financial resources to perform the one-bus charter service to be authorized in the order which follows.

2. Public convenience and necessity require that service.

3. 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 for a single bus operation and a certificate for that operation should be granted.

2. Further hearing is not required if the certificate is subject to the condition stated in Ordering Paragraph 1.

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 Angelo Giordano authorizing him to operate as a Class B charter-party carrier of passengers, as defined in PU Code Section 5383, from a service area with a radius of 40 air miles from his home terminal at 11910 Greenstone Street, Santa Fe Springs, subject to the following condition: Applicant will not operate more than one bus.

2. The Passenger Operations Branch will issue the annual renewable certificate on Form PE-695, as authorized by Resolution PE-303, when it receives California Highway Patrol clearances and evidence of liability protection in compliance with General Order Series 115.

3. In providing service under the certificate, applicant shall comply with General Orders Series 98 and 115 and the California Highway Patrol safety rules.

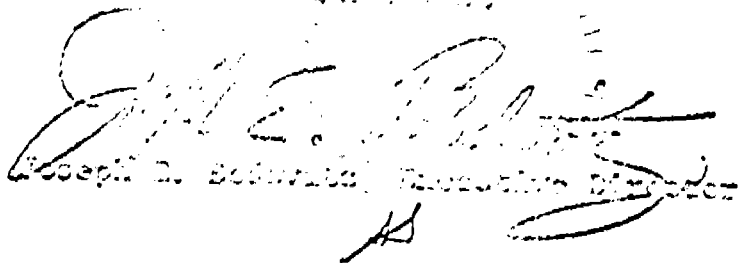
This order becomes effective 30 days from today.

Dated JAN 5 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. CRAVELLE
VICTOR CALVO
PRISCILLA C. GREW
Commissioners

Commissioner Leonard M. Grimes, Jr.,
being necessarily absent, did not
participate.

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


Joseph R. Schmitt, Executive Director