

ORIGINAL

Decision 82 02 101 FEB 17 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of Mike Kazimi, an individual)	
doing business as TBT Bus Line,)	
for a Class "B" Certificate to)	Application 60910
operate as a charter-party of)	(Filed September 16, 1981;
passengers, Oakland.)	amended November 25, 1981)
_____)	

Eldon M. Johnson, Attorney at Law, for Mike
 Kazimi, applicant.
Alex J. Gaeta, for Peerless Stages, Inc.,
 protestant.

O P I N I O N

Applicant Mike Kazimi, dba TBT Bus Line, has requested authority to operate as a Class B charter-party carrier of passengers from his home terminal in Oakland, California. Protests and requests for hearing were filed by Greyhound Lines, Inc. (Greyhound) and Peerless Stages, Inc. (Peerless).

By letter dated November 11, 1981, Greyhound withdrew its protest provided applicant would amend its application to exclude any pickup service in the City and County of San Francisco within the 40-air-mile zone and to limit the authority requested to a three-bus fleet. An amendment to the application containing these restrictions was filed November 25, 1981.

Hearing was held December 7, 1981 at San Francisco before Administrative Law Judge Banks. At the hearing Peerless withdrew its protest.

Applicant proposes to provide charter-party service for Farsi (Iranian)-speaking people in the San Francisco Bay Area. Applicant testified that there are between 65,000 to 70,000 Farsi-speaking people in the area and that by catering to this clientele his service would meet their cultural demands. He stated he has over 10 years' experience in the bus business. His education includes mechanical courses in high school and college with experience as a flight engineer and pilot on Boeing 727 aircraft. A feasibility statement introduced as Exhibit 1 shows a net worth of \$223,700 and projected net income of \$37,600. Applicant has made a deposit for the purchase of a 39-passenger General Motors coach with plans to purchase a 47- to 49-passenger General Motors coach.

At a later date applicant may file an application to have the certificate restrictions lifted. With the filing applicant should be prepared to make a good cause showing of need for lifting the restriction.

Findings of Fact

1. Applicant proposes to provide service as a charter-party carrier of passengers to the Iranian community in the Bay Area.
2. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service.
3. With the agreement that the City and County of San Francisco would be excluded from applicant's 40-air-mile pickup zone and the authority requested would be limited to three buses, the protest of Greyhound was withdrawn. The only other protest was withdrawn at the public hearing.

Conclusions of Law

1. Public convenience and necessity require that the application be granted with the restriction of a three-bus fleet.
2. Applicant should be authorized to pick-up passengers within a radius of 40 air miles from his home terminal, excluding all points in the City and County of San Francisco.

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.

4. The application should be granted as set forth in the ensuing order.

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 Mike Kazimi, dba TBT Bus Line, 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 applicant's home terminal at 3300 Farnam Street, Oakland, California.

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.

4. Applicant shall not operate more than three buses in California intrastate service.

5. Applicant's pickup zone shall exclude the City and County of San Francisco.

This order becomes effective 30 days from today.

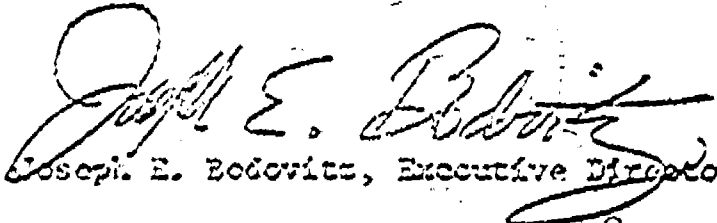
Dated FEB 17 1982, at San Francisco, California.

RICHARD D GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
FRISCILLA C. CREW
Commissioners

Commissioner: JOHN E. BRYSON

Present but not participating.

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


Joseph E. Bolovitz, Executive Director