

Decision 82 03 032 MAR 16 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC BUSING, INC. for a Class "B"
certificate to operate as a charter-
party carrier of passengers,
Glendale, CA.

Application 61060
(Filed November 18, 1981)

O P I N I O N

Pacific Busing, Inc. seeks a Class B charter-party carrier of passengers certificate to operate from its home terminal at 515 West Colorado Street, Glendale.

The application was noticed on the Commission's Daily Calendar and was served upon 56 bus companies in the Los Angeles-Glendale area, including Lounge Cars Tours Charter Co., Inc., American Bus Lines, Inc., Gray Line Tours Co., Trailways, Inc., and Brock Bus Lines, Inc.

Greyhound Lines, Inc. (Greyhound) filed a protest, and a public hearing was noticed. The matter was taken off calendar at the written request of the parties. By stipulation Greyhound withdrew its protest and Pacific agreed to limit its application to school-type buses only, subject to Commission approval.

The Transportation Division has no objection to the granting of the requested authority. A public hearing is not necessary.

Applicant's application shows that it provides transportation services for children with special needs, that its drivers are certified by the California Highway Patrol and are trained to assist handicapped children, that it owns a 1973 I.H. school-type bus with a capacity of 56 passengers, and that its financial resources are adequate to provide the proposed service. Applicant's bus will accommodate special students who otherwise might be obliged to travel by taxi.

Findings of Fact

1. There is a substantial need for the charter-party service proposed by applicant.

2. Applicant has the ability, experience, equipment, and financial resources to perform the proposed charter service limited to school-type buses to be authorized in the order which follows.

3. Public convenience and necessity require the service proposed by applicant.

4. Greyhound serves the sought territory but is not providing adequate service for the public, and, therefore, Greyhound's service is not satisfactory to the Commission.

5. A public hearing would have been scheduled in accordance with Public Utilities Code § 5375.1, but since Greyhound withdrew its protest the hearing would have served no useful purpose.

6. 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 subject to the restriction stipulated to by applicant and Greyhound.

2. Applicant should be authorized to pick up passengers within a radius of 40 air miles from its home terminal.

3. Applicant is advised that should circumstances change in the future and applicant wishes to have the restriction removed from its certificate, application for this removal may be made to the Commission.

4. Since the protest has been withdrawn and applicant should proceed without delay in providing the proposed service, the order should be effective today.

O R D E R

IT IS ORDERED that:

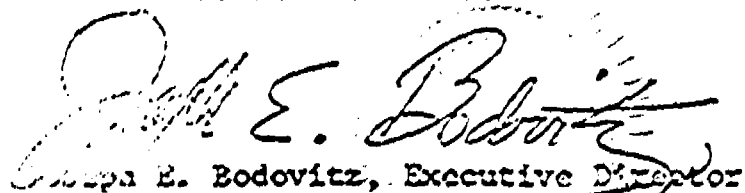
1. A certificate of public convenience and necessity, to be renewed each year, is granted to Pacific Busing, Inc. authorizing it to operate as a Class B charter-party carrier of passengers, as defined in Public Utilities Code Section 5383, from a service area with a radius of 40 air miles from applicant's home terminal at 515 West Colorado Street, Glendale.
2. Applicant's service shall be restricted to the operation of school-type buses.
3. 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.
4. 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 is effective today.

Dated MAR 16 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. CREW
Commissioners

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


Joseph E. Bodovitz, Executive Director