

Decision 82 04 058 APR - 6 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JAMES B. GORDON, JR., dba GORDON)
TOURS, for a certificate to operate)
as a Class "B" Charter-Party Carrier)
of Passengers in Thousand Oaks.)

Application 60744
(Filed July 21, 1981)

O P I N I O N

Applicant, James B. Gordon, Jr., an individual doing business as Gordon Tours, seeks a certificate of public convenience and necessity to operate as a charter-party carrier from a terminal in Thousand Oaks, California. Applicant plans to act as his own driver, using a 43-passenger 1955 General Motors Intercity bus which he owns.

Applicant claims total assets of \$27,100, primarily consisting of motor vehicle equipment. Applicant has held no previous authority from this Commission.

Greyhound Lines, Inc. (Greyhound) filed a protest and request for hearing. Greyhound, however, offered to withdraw its protest if applicant would accept a certificate with operations restricted to the operation of one bus only. Applicant, by letter of November 11, 1981, indicated that he would accept the limitation. Since the application was properly served and since the only protest was withdrawn, a hearing is not necessary. The certificate to be granted will authorize the use of a single 43-passenger bus. If applicant ever desires to have this restriction removed, he may file an application to modify this decision.

Findings of Fact

1. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed transportation service.
2. Public convenience and necessity require the service proposed by applicant.
3. Applicant should be authorized to pick up passengers within a radius of 40 air miles from his home terminal at 2516 Young Avenue, Thousand Oaks, California.
4. The stipulated restriction requires that applicant's operating authority should restrict him to operating one bus.
5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion of Law

Public convenience and necessity have been demonstrated and a certificate should be granted subject to the restriction stipulated to by applicant and protestant.

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 James B. Gordon, Jr. 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 2516 Young Avenue, Thousand Oaks; applicant is limited to the operation of a single 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.

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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 APR 6 1982, at San Francisco, California.

JOHN E. BRYSON

President

RICHARD D. GRAVELLE

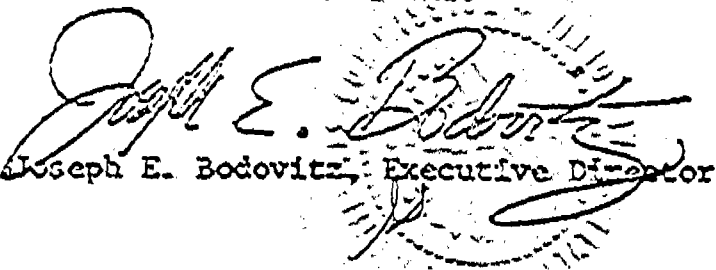
LEONARD M. CRIMES, JR.

VICTOR CALVO

PRISCILLA C. GREW

Commissioners

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


Joseph E. Bodovitz, Executive Director