

ALJ/rr/md

Decision 82 05 056

MAY 17 1982

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
 of Association for Retarded Citizens, )  
 Shascade, Inc., for a Class B )  
 charter bus certificate from home )  
 terminal in Anderson, CA 96007. )

Application 60828  
 (Filed August 21, 1981)

O P I N I O N

Applicant Association for Retarded Citizens, Shascade, Inc. (TCP-1402P) seeks a certificate of public convenience and necessity to operate as a Class B charter-party carrier under Public Utilities (PU) Code Section 5371.2 from applicant's home terminal in Anderson, California. Applicant is a nonprofit organization incorporated in California in 1960.

Since June 1975, applicant has provided a van charter passenger service in the Redding/Anderson area. For the proposed service, applicant will serve as its own driver and will operate three vehicles: one 14-passenger 1977 Plymouth van, one 14-passenger 1978 Plymouth van, and one 31-passenger 1978 International bus. Applicant, which owns the two vans and leases the bus, claims a net worth in excess of \$64,000. Applicant has previously been issued a charter-party permit by this Commission.

At the request of the assigned administrative law judge, certain deficiencies in the application were cured by a letter dated April 22, 1982. The application had failed to specify the carriers to whom notice of the application was sent or indicate to whom the service would be offered. The latter information was necessary to determine whether the service would be limited to applicant's members thereby potentially eliminating the need for certification.

In its letter, applicant explained that Greyhound Lines, Inc., Continental Trailways, and Redwood Empire Lines, all holders of Class A or B certificates, were notified of the application. Applicant also stated that the service would not be restricted to its members, but would be offered to other groups, including local nonprofit organizations, churches, and business associations.

With this additional information, we conclude that the application was properly served and that the proposed service requires certification. No protest to granting the application has been received by the Commission.

Findings of Fact

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

2. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed transportation services and will faithfully comply with the regulations of the Commission.

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

4. It can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.

5. A public hearing would have been scheduled in accordance with PU Code Section 5375.1, but since there were no protests the hearing would have served no useful purpose.

Conclusions of Law

1. Public convenience and necessity have been demonstrated, and a certificate should be granted. Since there is a need for the proposed service, the following order should become effective today.

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

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 applicant Association for Retarded Citizens, Shascade, Inc., authorizing applicant 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 1756 South Street, Anderson.

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.

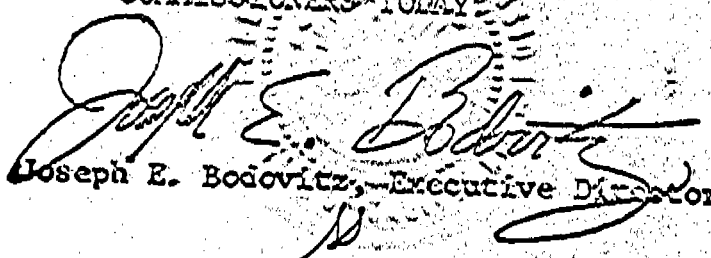
3. In providing service under the certificate, applicant shall comply with General Orders Series 98 and 115 and the California Highway Patrol Safety Rules.

This order is effective today.

Dated MAY 17 1982, at San Francisco, California.

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

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

  
Joseph E. Bodovitz, Executive Director