

ORIGINAL

Decision 82 06 C40 JUN 2 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )	
of HILKE E. GRANT and MARCEL )	
TROTTIER doing business as )	Application 82-03-17
T. L. C. TOURS for a certificate )	(Filed March 5, 1982;
to operate as a Class "B" charter- )	amended April 19, 1982)
party carrier of passengers in )	
Woodland Hills. )	
_____ )	

O P I N I O N

Applicants Hilke E. Grant and Marcel Trottier, a general partnership doing business as T. L. C. Tours, request a Class B certificate to operate as a charter-party carrier of passengers from a service area within a radius of 40 air miles from their home terminal at 4734 Topanga Canyon Boulevard, Los Angeles, California.

Applicants state they have a combined experience of over 18 years within the passenger transportation industry and therefore possess the necessary skills in management, driving, maintenance, and sales to provide the proposed operations.

As set forth in the application, applicants' assets were \$165,000 and liabilities were \$113,058 as of January 31, 1982. Applicants project annual revenues of \$82,500 and annual expenses of \$63,708 in charter operations of their 1980 Eagle 46-passenger intercity bus.

Notice of the filing of the application appeared on the Commission's Daily Calendar of March 8, 1982 and a copy of the application was served on, among others, Greyhound Lines, Inc. (Greyhound).

On March 23, 1982 Greyhound filed a protest stating its position that in accordance with Public Utilities (PU) Code Section 1032<sup>1/</sup> the territory being sought by applicants is being adequately served by the existing charter-party carriers and the application should therefore be denied. However, Greyhound stated that it would withdraw its protest provided applicants would amend the application to restrict the number of buses to be used in the operation to one bus only. On April 19, 1982 applicants amended their application to restrict the number of buses to two. As a result of this amendment, Greyhound, by letter dated April 21, 1982, withdrew its protest provided the amendment is acceptable to this Commission. No other protests have been received. A public hearing is not necessary.

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.

Findings of Fact

1. Applicants have the ability, experience, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the service proposed by applicants.
3. The certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers should restrict the number of buses to be used in the operation to two buses only.
4. Applicants should be authorized to pick up passengers within a radius of 40 air miles from their home terminal at 4734 Topanga Canyon Boulevard, Los Angeles, California.
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.

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<sup>1/</sup> Reference to Section 1032 in Greyhound's protest is incorrect, as it applies to passenger stage operations. The reference should have been to Section 5375.1.

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 protestant.
2. Applicants should be authorized to pick up passengers within a radius of 40 air miles from their home terminal.
3. Since there is an immediate public need for the 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 Hilke E. Grant and Marcel Trottier, a general partnership, authorizing them 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 applicants' home terminal at 4734 Topanga Canyon Boulevard, Los Angeles, California.
2. Applicant's service is restricted to the operation of two 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.

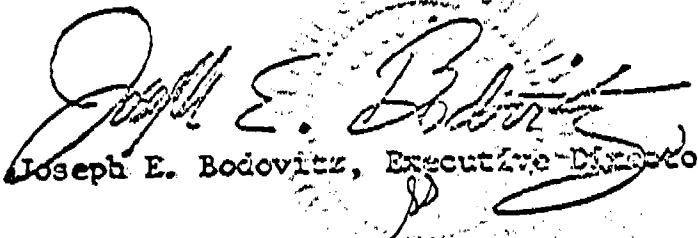
4. In providing service under the certificate, applicants shall comply with General Orders Series 98 and 115 and the California Highway Patrol safety rules.

This order is effective today.

Dated JUN 2 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