

ORIGINAL

Decision S2 06 042 JUN 2 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of PATHFINDER TRANSPORTATION for)	Application 82-03-18
a Class "B" certificate to operate)	(Filed March 4, 1982;
as a charter-party carrier of)	amended April 27, 1982)
passengers, Canoga Park, CA.)	
_____)	

O P I N I O N

Applicant Pathfinder Transportation, Inc., a California corporation, requests 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 its home terminal at 8329 Jason Avenue, Los Angeles, California.

Applicant states its principals have a combined experience of over 35 years within the passenger transportation industry and have the necessary support staff and management skills to supervise and manage the proposed service.

As set forth in the application, applicant's assets were \$42,250 and liabilities were \$1,000 as of February 28, 1982. Applicant does not own or operate any commercial passenger vehicles at the present time but has made contingency arrangements to purchase a minimum of two intercity buses with a seating capacity of 39 passengers. Applicant will take delivery of the two buses within 30 days of the effective date of a Commission order granting the requested certificate.

Applicant projects annual revenues of \$82,500 and annual operating expenses of \$70,200 in its proposed charter operations.

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^{1/} the territory being sought by applicant 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 applicant would amend the application to restrict the number of buses to be used in the operation to two buses only.

Mark Mueller, applicant's representative, made contact with Greyhound on April 16, 1982 and proposed the following amendment:

"Applicant's 40 air-mile pickup zone from its home terminal in Canoga Park, California shall exclude any pickup service in an area described as the following:

"At a point beginning at the junction of the Pacific Ocean and California Highway 27, extending northerly to the intersection of Highway 27 and U.S. Highway 101, extending easterly along U.S. Highway 101 to the intersection of U.S. Highway 101 and Interstate Hwy 5 to the intersection of Interstate Highway 5 and Interstate highway 10 and then along Interstate Hwy 10 extending westerly to California Hwy 1 and then extending northeasterly to the intersection of Hwy 1 and California Hwy 27."

^{1/} Reference to Section 1032 is incorrect in applicant's protest, as it applies to passenger stage operations. The reference should have been to Section 5375.1.

This amendment satisfies Greyhound's interest in the matter, and Greyhound therefore withdraws its protest to the granting of the application provided the amendment is acceptable to this Commission. Consequently, on April 27, 1982 applicant amended its application to incorporate the above-described restriction. No other protests to the granting of the application have been received.

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. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service restricted to two buses.
2. Public convenience and necessity require the service proposed by applicant.
3. There is a substantial need for the charter-party service proposed by the applicant.
4. The application appeared on the Commission's Daily Calendar; one protest was received and it was withdrawn.
5. Applicant requests the following certificate restriction:
"Applicant's 40 air-mile pickup zone from its home terminal in Canoga Park [at 8329 Jason Avenue, Los Angeles], California shall exclude any pickup service in an area described as the following:
"At a point beginning at the junction of the Pacific Ocean and California Highway 27, extending northerly to the intersection of Highway 27 and U.S. Highway 101, extending easterly along U.S. Highway 101 to the intersection of U.S. Highway 101 and Interstate Hwy 5 to the intersection of Interstate Highway 5 and Interstate highway 10 and then along Interstate Hwy 10 extending westerly to California Hwy 1 and then extending north-easterly to the intersection of Hwy 1 and California Hwy 27."

6. Applicant should be authorized to pick up passengers within a radius of 40 air miles from its home terminal at 8329 Jason Avenue, Los Angeles, California, subject to the above restriction.

7. 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 set forth in Finding 5.

2. Applicant should be authorized to pick up passengers within a radius of 40 air miles from its home terminal, except for the area described in Finding 5.

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 Pathfinder Transportation, Inc. authorizing it 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 8329 Jason Avenue, Los Angeles, California, except for the area described in Finding 5.

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.

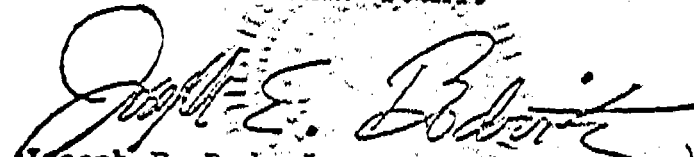
4. In providing service under the certificate, applicant shall comply with General Orders Series 98 and 115 and the California Highway Patrol safety rules.

This order is effective today.

Dated JUN 2 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. 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