

ORIGINAL

Decision 82 03 029 AUG 4 - 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application	)	
of SEMION MARGUSOV doing business	)	Application 82-03-74
as L.A. INDEPENDENT TOUR SERVICE	)	(Filed March 22, 1982)
for a Class "B" charter-party	)	
carrier of passengers in Sepulveda.	)	
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O P I N I O N

Applicant Semion Margusov, doing business as L.A. Independent Tour Service, requests a Class B certificate to operate as a charter-party carrier of passengers from a service area with a radius of 40 air miles from his home terminal at 8735 Sari Avenue, Sepulveda, California.

Applicant states he has 17 years' experience within the passenger transportation industry and therefore possesses the necessary skills to provide the proposed operations.

As set forth in the application, applicant's assets were \$384,750 and liabilities were \$109,000 as of March 1982. Applicant projects annual revenues of \$59,500 and annual expenses of \$24,500 in charter operations of his 1980 Ford 17-passenger intercity van.

Notice of the filing of the application appeared on the Commission's Daily Calendar of March 24, 1982 and a copy of the application was served on, among others, Greyhound Lines, Inc. (Greyhound).

On April 21, 1982 Greyhound filed a protest stating its position that in accordance with Public Utilities (PU) Code Section 5375.1 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 vans to be used in the operation to one van only with a seating capacity of no more than 17 passengers.

By letter dated May 10, 1982, Richard J. Abrams of the law firm Elden & Abrams, representing applicant, advised this Commission that Greyhound was willing to withdraw its protest upon the condition that applicant be limited to four vans each with a capacity of 17 passengers and that such a limitation was acceptable to applicant.

By letter dated June 14, 1982, Greyhound withdrew its protest provided the above four-van limitation was 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 his 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.
2. Public convenience and necessity require the service proposed by applicant.

3. The certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers should restrict the number of vans to be used in the operation to four vans only with a seating capacity of no more than 17 passengers each.

4. Applicant should be authorized to pick up passengers within a radius of 40 air miles from his home terminal at 8735 Sari Avenue, Sepulveda, 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.

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. Applicant should be authorized to pick up passengers within a radius of 40 air miles from his 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 Semion Margusov authorizing him 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 8735 Sari Avenue, Sepulveda, California.

2. Applicant's service is restricted to the operation of four vans only with a seating capacity of no more than 17 passengers each.

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.

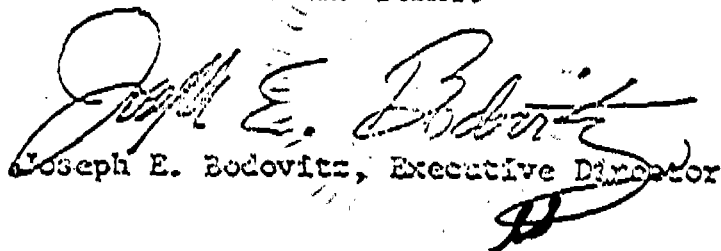
This order is effective today.

Dated AUG 4 1982, at San Francisco, California.

JOHN E. BRYSON  
President  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. GREW  
COMMISSIONERS

Commissioner Richard D. Gravello, being necessarily absent, did not participate in the disposition of this proceeding.

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

  
Joseph E. Bodovitz, Executive Director