

Decision 82 08 035 AUG 4 - 1982

ORIGINAL

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of Denis S. Fowler doing business  
as Cherokee Tours for a certificate  
to operate as a Class "B" charter-  
party carrier of passengers,  
Citrus Heights.

Application 82-05-22  
(Filed May 7, 1982)

O P I N I O N

Denis S. Fowler, dba Cherokee Tours, has applied for a Class B charter-party carrier of passengers certificate. He owns a single 21-passenger vehicle. He will operate from a home terminal in Citrus Heights, California. He has five years' general experience in passenger transportation, another five years in driver and safety training, and two years as a general manager of a bus operation. His balance sheet shows assets of approximately \$89,000 and liabilities estimated at \$30,000. He expects to operate 1,500 miles in the first year, producing \$6,600 of gross revenue. He anticipates operating expenses of \$5,210.

Competitors and potential competitors within the proposed service area were notified. Greyhound Lines, Inc. protested, but withdrew after applicant agreed to operate only a single 21-passenger bus. We will grant the certificate with that restriction. If applicant ever wishes to have that restriction removed or modified, he may file an application to modify this decision and his operating authority.

Findings of Fact

1. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed transportation services.

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 applicant's home terminal, but restricted to the use of one 21-passenger bus.

4. A public hearing is not necessary.

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.

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 Denis S. Fowler authorizing him to operate as a Class B charter-party carrier of passengers, as defined in Public Utilities Code § 5383, from a service area with a radius of 40 air miles from applicant's home terminal at 7313 Fairytale Street, Citrus Heights, restricted to one 21-passenger 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.

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

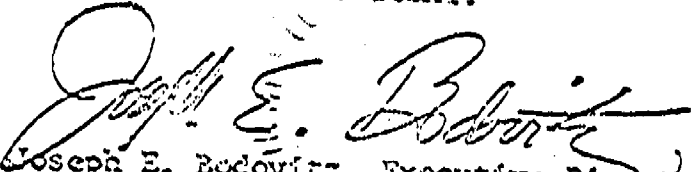
This order becomes effective 30 days from today.

Dated AUG 4 1982, at San Francisco, California.

JOHN F. BRYSON  
President  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. CREW  
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