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Decision _____ September 22, 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of JOSEPH E. ROUSSEL and JUDITH)
A. ROUSSEL dba TRAVEL WITH US for)
a Class B charter bus certificate)
from home terminal in Westminster,)
California.)

Application 82-02-12
(Filed February 4, 1982;
amended March 29, 1982
and April 6, 1982)

John E. deBrauwere, Attorney at Law,
for applicants.

R. D. Rierson, Attorney at Law, for
Greyhound Lines, Inc.; and Dolores
J. Kramer, for FunBus Systems, Inc.;
protestants.

O P I N I O N

Applicants Joseph E. Roussel and Judith A. Roussel, dba Travel With Us, request 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 their home terminal at 7554 Westminster Avenue, Westminster, California 92683.

The application was protested by Greyhound Lines, Inc. (Greyhound) and FunBus Systems, Inc. (FunBus). At the outset of the hearing, which was held before Administrative Law Judge Main in Los Angeles on August 11, 1982, the Greyhound protest was withdrawn subject to the following stipulation entered by applicants: The Class B certificate being requested should be conditioned to limit (1) the service area radius to 20 instead of 40 air miles for all points except Los Angeles International Airport which is retained as a point of origin for charters; and (2) the number of buses operated to three intercity buses and one van. If

applicants ever wish to operate more buses or from a larger service area, they may file an application to modify this decision. FunBus withdrew its protest after evidence was presented on applicants' fitness, experience, and financial ability, and it was established on the record that applicants have a valid business license and that alternative locations are available for parking their buses.

Applicant Joseph Roussel's 11 years in the transportation and tour business include experience as a driver and tour guide. As of January 1982, applicants' total assets were \$267,800 and their total liabilities were \$87,200. They project annual revenues of \$255,000 and annual expenses of \$159,400 in their proposed charter business. Presently, they own one 1970 MCI 6 43-passenger bus and one 1977 Ford 20-passenger van. They have arranged to lease one 1981 Eagle 46-passenger bus and one 1968 MCI 6 47-passenger bus upon their obtaining the requested Class B certificate. Applicants sponsored two witnesses from tour agencies that support an immediate need for the proposed service.

Findings of Fact

1. Applicants have the ability, experience, equipment, and financial resources to perform the service to be authorized in the order which follows.
2. Public convenience and necessity require that service.
3. 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 restrictions stipulated to by applicant and protestant.

2. Applicants should be authorized to operate as a Class B charter-party carrier from or within a service area encompassing a radius of 20 air miles from their home terminal at 7554 Westminster Avenue, Westminster, California 92683 and from Los Angeles International Airport, subject to the following condition: Applicants will not operate more than three intercity buses and one van.

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 Joseph E. Roussel and Judith A. Roussel 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 20 air miles from applicants' home terminal at 7554 Westminster Avenue, Westminster, California 92683 and from Los Angeles International Airport, subject to the following condition: Applicants will not operate more than three intercity buses and one van.

2. Applicant shall:

- a. Obtain California Highway Patrol (CHP) clearance for each vehicle to be used in this Class "B" charter-party operation.
- b. Notify the Commission and CHP of any addition or deletion of vehicle(s) used in the service prior to use.
- c. Establish the authorized service within 360 days after this order is effective.

3. The Passenger Operations Branch will issue the annual renewable certificate on Form PE-695, as authorized by Resolution PE-303, when it receives CHP clearances and evidence of liability protection in compliance with General Order Series 115. ✓

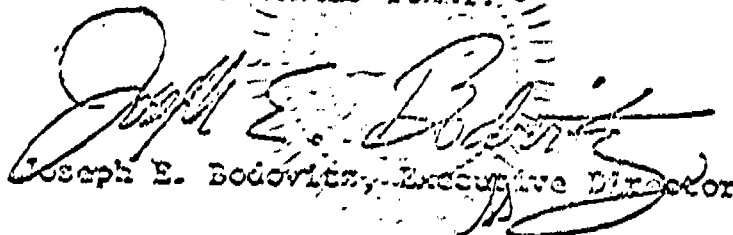
4. In providing service under the certificate, applicants shall comply with General Orders Series 98 and 115 and the CHP safety rules. ✓

This order is effective today.

Dated September 22, 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

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