

Decision 82 09 963 September 22, 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of PACIFIC BUS LEASING, INC. a)	
California corporation, to amend)	Application 82-05-39
a certificate of public convenience)	(Filed May 13, 1982)
and necessity, file no. TCP-99-B)	
effective May 6, 1981.)	
)	

O P I N I O N

Applicant Pacific Bus Leasing, Inc. (Pacific) seeks authority to modify its certificate of public convenience and necessity by removing the following restriction contained in its present certificate:

"(6) Special conditions: From or within a service area encompassing a radius of 15 air miles from applicant's home terminal at 711 West 17th Street, Costa Mesa, California, and from or to airports within a radius of 40 air miles of applicant's above-specified home terminal."

Pacific was granted its restricted Class "B" charter-party certificate by Decision 92891 dated May 6, 1981 in Application 60067 (TCP-99B). The original application was protested by Greyhound Lines, Inc. (Greyhound) which stated that it would withdraw its protest if the certificate were restricted as above quoted. Pacific agreed to the restriction and the certificate was granted without a hearing. During the past year Pacific has operated within the area granted by the certificate. Pacific was also granted a certificate of public convenience and necessity by the Interstate Commerce Commission under Docket No. MC-152695 issued April 29, 1982.

In support of its request to increase the pickup area from the present 15 miles from the home terminal to the unrestricted 40 miles from the home terminal, Pacific notes that the demand for charter bus service has grown rapidly in the past few years as evidenced by the fact that 56 of the existing 155 Class "B" charter certificates were issued within the last 12 months as contrasted to the other 99 which were issued in the prior 14 years. Pacific further believes that increasing its pickup territory to the full 40-mile radius from its home terminal will enable it to serve its customers better because at the present time most carriers in southern California must travel at least 30 to 50 miles in order to provide service to the residents within the territory requested. Pacific further states that it is fit, willing, and able to provide the proposed service and that during the past year Pacific has increased the number of intercity coaches in its fleet to better serve the public. Its fleet presently consists of the following units:

1969 MCI Model 6	47 Passenger
1969 MCI Model 6	47 Passenger
1969 MCI Model 6	47 Passenger
1969 MCI Model 6	47 Passenger
1981 Eagle Model 10	46 Passenger
1981 Eagle Model 10	46 Passenger
1981 Eagle Model 10	46 Passenger

As set forth in the application, during the three-month period ending February 1982, Pacific's gross operating revenue was \$266,988 and its net income was \$14,016.

Notice of the filing of the application appeared on the Commission's Daily Calendar of May 14, 1982 and a copy of the application was served on, among others, Greyhound. No protests to granting the application were received.

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. Since there were no protests, a public hearing is not necessary.
4. 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 the present restriction limiting the pickup territory within 15 miles of applicant's home terminal should be removed.
2. Applicant should be authorized to pick up passengers within a radius of 40 air miles from its 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. The certificate of public convenience and necessity, to be renewed each year, granted by Decision 92891 to Pacific Bus Leasing, Inc. (TCP-99B) authorizing it to operate as a Class B charter-party carrier of passengers, as defined in PU Code § 5383, is amended to authorize pickup of passengers from a service area with a radius of 40 air miles from its home terminal at 711 West 17th Street, Costa Mesa, California.

2. The Passenger Operations Branch will reissue the annual renewable certificate on Form PE-695, as authorized by Resolution PE-303, to provide for passenger pickup within a radius of 40 air miles from its home terminal at 711 West 17th Street, Costa Mesa, California.

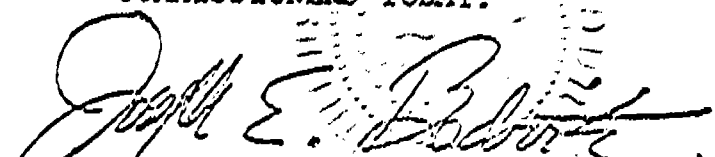
3. In providing service under the certificate, applicant shall comply with General Orders Series 98 and 115 and the California Highway Patrol safety rules.

This order is effective today.

Dated SEP 22 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. CRAVELLE
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

ORIGINAL

Decision 82 09 033 SEP 22 1982

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