

Decision 82 09 030 SEP 22 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
Vincent Leroy Oddo, dba Alta Loma)
Charter Lines, for a Class B charter)
bus certificate from home terminal)
in Ontario, Ca.)

Application 82-06-10
(Filed June 3, 1982)

O P I N I O N

By this application, Vincent Leroy Oddo, dba Alta Loma Charter Lines, seeks a Class B certificate of public convenience and necessity to operate as a charter-party carrier of passengers from a service area with a 40-mile radius from his home terminal at 821 State Street, Ontario.

After notice, a timely protest was received from Greyhound Lines, Inc. (Greyhound), a Class A charter-party carrier of passengers. After receiving applicant's stipulation that he would "exclude any pickup service in the City of Los Angeles", Greyhound withdrew its protest. If applicant ever wishes to have this pickup restriction modified or removed from his certificate, he may file an application requesting such action.

The application shows that applicant proposes to use a 1967 Silver Eagle 46-passenger bus in his initial charter operations.

Applicant's May 16, 1982 statement of financial condition shows total assets of \$318,500, including \$62,500 for motor vehicle equipment, and \$20,000 in cash; his liabilities total \$45,500, including \$24,500 due on his motor equipment; and his net worth is \$273,000.

Applicant projects charter operating revenues of \$55,500 and expenses, excluding income taxes, of \$19,700, leaving net revenues of \$35,800.

Applicant has two years of driving experience in charter service. Under File No. T-74485 he is authorized to operate as a highway contract carrier permittee, as an agricultural carrier permittee, and as a certificated highway common carrier.

Findings of Fact

1. Applicant has the fitness, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the service proposed by applicant.
3. Greyhound agreed to withdraw its protest when applicant stipulated that he would not pick up passengers in the City of Los Angeles.
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 require that the requested authority should be issued subject to the restriction on applicant's operations contained in Finding 3.
2. Applicant should be authorized to pick up passengers from a service area with a radius of 40 air miles from his home terminal, outside of the City of Los Angeles.

3. The following order should be effective on the date of signature because there is a public need for the proposed service.

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 Vincent Leroy Oddo, 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 his home terminal at 821 State Street, Ontario. Applicant shall not pick up passengers in the City of Los Angeles.

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 California Highway Patrol clearances and evidence of liability protection in compliance with General Order Series 115.

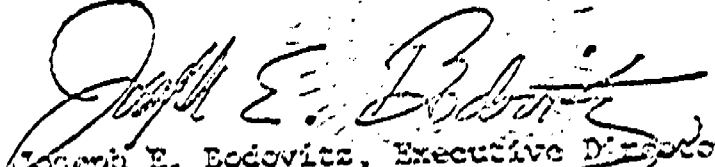
4. In providing service under the certificate, applicant shall comply with General Orders Series 98 and 115, and the California Highway Patrol safety rules.

This order is effective today.

Dated SEP 22 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