

ORIGINAL

Decision 82 12 026 DEC 1 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of A-WARE CHARTER LEASING, INC.,  
a California Corporation, to amend  
a Certificate of Public Convenience  
and Necessity, file no. TCP-92-B,  
to operate as a Class "B" Charter  
Carrier, from a home terminal in  
Rosemead, Los Angeles County,  
California, effective January 1,  
1982.

Application 82-08-39  
(Filed August 19, 1982)

O P I N I O N

A-Ware Charter Leasing, Inc. (applicant) was granted a Class "B" charter-party carrier of passengers certificate in Decision (D.) 92461 dated December 2, 1980 in Application (A.) 59754. In A.59754 applicant resolved a dispute with Greyhound Lines, Inc. (Greyhound) by agreeing to restrict its operations to a maximum of three buses. D.92461 incorporates that restriction. On January 25, 1982 the Interstate Commerce Commission issued a certificate of public convenience and necessity to applicant under Docket No. MC-155765 authorizing applicant to provide common carrier motor vehicle service in interstate and foreign commerce over irregular routes in round-trip charter operations between Los Angeles County, California, Arizona, Nevada, and Utah. In this proceeding applicant requests the Commission to delete Special Condition 6, the three-bus limitation, from its certificate.

Notice

Notice of the filing of this application was made in the Commission's Daily Transportation Calendar of August 23, 1982. No protests were received. A hearing is not necessary.

Need

Applicant alleges that the need for charter bus service has greatly increased in the last few years due to a combination of population increases and an increase in public acceptance of the use of charter buses for group transportation. Applicant believes the growth in charter-party service will continue in the future. It cites an estimate of the Southern California Association of Governments predicting a doubling of the population of Southern California in the next 18 years. Applicant states that (a) the travel and tourism industry is the second largest industry in California; (b) Southern California contains seven of the top twenty amusement and/or theme parks in the United States; (c) Southern California is one of the most popular vacation areas for foreign travelers visiting the United States; and (d) many foreign travelers use prepackaged tours. Applicant contends that removing the limitation on the number of buses it can use in its California operations will permit it to be of better service to the public. Applicant now uses four 41-passenger intercity coaches to fulfill both its intrastate and interstate obligations.

Other Information

Applicant's May 30, 1982 balance sheet shows assets of \$69,005, including \$10,384 in current assets, and \$58,621 in fixed assets, including shop and equipment and buses. Its liabilities total \$1,201 and its capital is \$67,804.

Discussion

Applicant's operations were originally restricted to resolve a dispute with Greyhound. Applicant has cited reasons for expecting further growth in the charter-party business and expressed its willingness to meet increased demands on it for charter-party service. The restriction should be deleted.

Findings of Fact

1. Continuing population growth in the Los Angeles area will require greater use of charter bus service to meet transportation requirements in that area.

2. Applicant accepted a three-bus limitation in its operating authority under TCP-92B to settle a dispute with Greyhound.

3. Applicant now seeks to eliminate that three-bus limitation in its California charter-party operations.

4. Applicant has the ability, experience, and financial resources to purchase equipment needed to perform the expanded service.

Conclusions of Law

1. Public convenience and necessity require removal of the three-bus limitation on applicant's operating authority.

2. 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

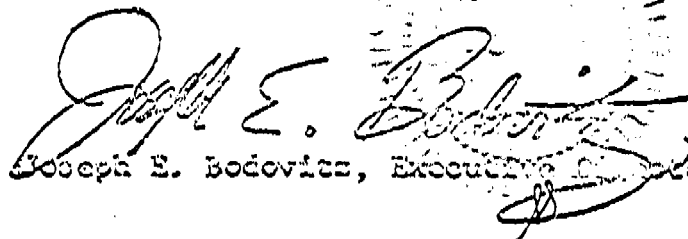
IT IS ORDERED that Special Condition 6 is deleted from the Class "B" charter-party certificate of public convenience and necessity TCP-92-B of A-Ware Charter Leasing, Inc. In providing additional equipment under the amended certificate, applicant shall comply with General Orders Series 98 and 115, and the California Highway Patrol safety rules.

This order is effective today.

Dated DEC 1 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. Bodovick, Executive Director