

Decision 82 12 076 DEC 15 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
QUINTANILLA, INC., dba IMPERIAL)
LIMOUSINE AND TRANSPORTATION SERVICE)
for a Class "B" certificate to)
operate as a Charter-Party carrier)
of passengers, San Francisco,)
California.)

Application 82-07-61
(Filed July 28, 1982)

Richard Quintanilla, for Quintanilla, Inc.,
dba Imperial Limousine and Transportation
Service, applicant.

R.D. Rierson, for Greyhound Lines, Inc.,
protestant.

O P I N I O N

Quintanilla, Inc., a California corporation, dba Imperial Limousine and Transportation Service, seeks a certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers from a service area with a radius of 40 air miles from its home terminal at 321 Leavenworth Street, San Francisco.

Applicant's owner Richard Quintanilla (Quintanilla) holds charter-party permit TCP-1787P, which authorizes him to operate equipment transporting 14 passengers or less. Quintanilla asserts that he has wide experience in the passenger transportation industry through his charter-party permit operations and has the necessary skills and financial ability to perform the proposed operation. Quintanilla has furnished his personal financial statement as an attachment to the application. That document shows total assets of \$978,000, annual income of \$132,900, and a personal net worth of \$974,500.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar. Greyhound Lines, Inc. (Greyhound), filed a protest and request for hearing on August 19, 1982.

At the outset of the public hearing held October 27, 1982 in San Francisco, the Greyhound protest was withdrawn subject to the stipulation entered by applicant that the Class B certificate issued as a result of this order should be conditioned to limit the number of vehicles operated to five buses with a seating capacity of 25 persons. If applicant ever wishes to operate more buses, it may file an application to modify this decision.

Findings of Fact

1. Applicant has 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. Applicant should be authorized to operate as a Class B charter-party carrier from or within a service area encompassing a radius of 40 air miles from its home terminal at 321 Leavenworth Street, San Francisco, California subject to the following condition: Applicant will not operate more than five buses with a seating capacity of 25 passengers each.

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 Quintanilla, Inc., dba as Imperial Limousine and Transportation Service, authorizing it to operate as a Class B charter-party carrier of passengers, as defined in Public Utilities (PU) Code § 5383, from a service area with a radius of 40 air miles from applicant's home terminal at 321 Leavenworth Street, San Francisco, California.

2. Applicant's service is restricted to the operation of five buses only with a seating capacity of no more than 25 passengers each.

3. 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.

4. 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 (GO) Series 115.

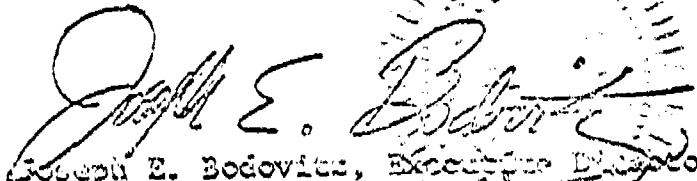
5. In providing service under the certificate, applicant shall comply with GO Series 98 and 115, and the CHP safety rules.

This order is effective today.

Dated DEC 15 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