

Decision 83 01 049 JAN 12 1983

~~CONFIDENTIAL~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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|------------------------------------|---|---------------------------|
| In the matter of the application |) | |
| of Ernie Lee, dba Ernie's Tour |) | |
| U.S.A., for a Class B charter |) | Application 82-11-37 |
| bus certificate from home terminal |) | (Filed November 19, 1982) |
| in 7 Victoria St., Daly City. |) | |
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O P I N I O N

Findings of Fact

1. Ernie M. Lee, an individual doing business as Ernie's Tour U.S.A., seeks a Class B charter-party certificate.
2. His business address is 447 Sutter Street, Suite 711, San Francisco, and his home terminal address is 7 Victoria Street, Daly City.
3. The Commission has not previously issued operating authority to Lee.
4. Lee has had experience in the transportation of passengers by motor vehicle over the public highway while working for Merian Travel & Tour, Los Angeles.
5. Lee proposes to operate a 23-passenger 1981 Ford bus that he owns to perform charter bus service.
6. His balance sheet, as of November 10, 1982, shows assets of \$30,200, liabilities of \$3,850, and net worth of \$26,350.
7. His estimated annual operating revenues and expenses are \$46,320 and \$28,500 for net operating income before income taxes of \$17,820.
8. Notice of the filing of the application appeared in the Daily Calendar. No protests have been filed.

9. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service.

10. Public convenience and necessity require the service proposed by applicant.

11. Applicant should be authorized to pick up passengers within a radius of 40 air miles from his home terminal at 7 Victoria Street, Daly City.

12. 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.

2. There is no opposition to the application and no reason that this decision should not be made effective immediately.

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 Ernie M. Lee, authorizing him to operate as a Class B charter-party carrier of passengers, as defined in Public Utilities Code § 5383, from a service area with a radius of 40 air miles from applicant's home terminal at 7 Victoria Street, Daly City.

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, applicant shall comply with General Orders Series 98 and 115 and the CHP safety rules.

5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

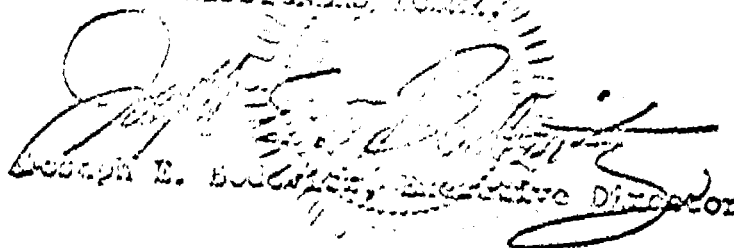
This order is effective today.

Dated January 12, 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS, BOARD.


Joseph E. Boudreau, Executive Director

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LEONARD M. GRIMES, JR.
President
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