

ORIGINAL

Decision 83 02 051 FEB 16 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of Joan W. Thompson, doing)
business as United Tours, for a)
certificate to operate as a)
Class "B" Charter-party Carrier)
of Passengers in La Verne,)
California.)

Application 82-09-50
(Filed September 29, 1982)

O P I N I O N

Applicant Joan W. Thompson, doing business as United Tours, requests authority to operate as a Class "B" charter-party carrier of passengers from a service area with a radius of 40 air miles from her home terminal at 1956 Twelfth St., La Verne, California 91750.

Greyhound Lines, Inc. (Greyhound) filed a protest and request for hearing. In response to this protest applicant seeks, by letter dated November 19, 1982, to amend this application to provide for restricting the number of buses of this Class "B" authority to one bus only.

The amendment requested by applicant satisfies Greyhound's interest in this matter. By letter dated November 24, 1982 to the Commission, Greyhound withdrew its protest to Application 82-09-50. If applicant ever wishes to operate more buses, she may file an application to modify this decision.

Applicant's driver has had seven years experience in the transportation of passengers and their baggage by motor vehicle over public highways and experience in bus repairs. Applicant's husband has had five years experience in group-chartered tours. Applicant owns one 1965 MCI 39-passenger bus. As of July 7, 1982 applicant's total assets were \$165,460 and her total liabilities were \$58,100.

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.

4. The application appeared October 1, 1982 on the Commission's Daily Transportation Calendar; one protest was received and it was withdrawn.

5. A public hearing would have been scheduled in accordance with Public Utilities Code Section 5375.1; but since all parties agreed to a certificate with certain restrictions, the hearing would have served no useful purpose.

Conclusions of Law

1. Public convenience and necessity have been demonstrated for operation of one bus, and a certificate for that operation should be granted.

2. Applicant should be authorized to pick up passengers within 40 air miles of her home terminal.

3. Since there is an immediate 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 Joan W. Thompson, authorizing her to operate as a Class B charter-party carrier of passengers, as defined in Public Utilities Code Section 5383, from a service area with a radius of 40 air miles from her home terminal at 1956 Twelfth St., La Verne, California 91750, subject to the following condition: Applicant shall not operate more than one bus.

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.

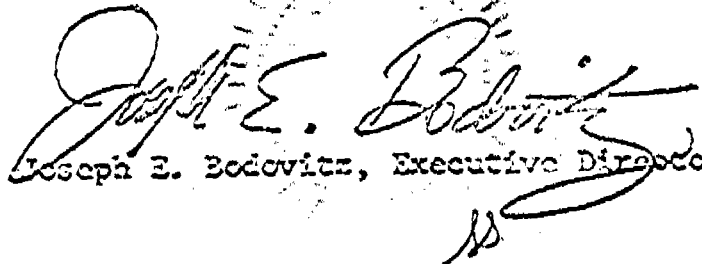
5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

This order is effective today.

Dated FEB 16 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 TODAY.


Joseph E. Bodovitz, Executive Director