

Decision 83 03 C18

MAR 2 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application )  
of Albert J. Hartmann, doing )  
business as Western Panorama, )  
Inc., for a certificate to )  
operate as a Class "B" Charter- )  
party Carrier of Passengers in )  
Hollywood, California. )

Application 82-09-45  
(Filed September 29, 1982)

O P I N I O N

Albert J. Hartmann, doing business as Western Panorama, Inc., 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 8455 Fountain Avenue #616, Hollywood.

Notice of the filing of this application appeared in the Daily Transportation Calendar of October 1, 1982. Greyhound Lines, Inc. (Greyhound) filed a protest and request for hearing on October 28, 1982. A hearing was scheduled. It was taken off calendar at applicant's request. In order to cause Greyhound to withdraw its protest, applicant agreed to limit the number of buses to be used in his Class B charter-party operations to two buses.

If applicant ever wishes to have this restriction modified or removed from his certificate, he may file an application requesting this action.

On December 31, 1982 applicant's assets were \$218,600, including \$38,000 for motor vehicle equipment, \$51,000 in cash, and \$6,600 in accounts receivable; his liabilities were \$87,200 in accounts payable; and his net equity was \$131,400. Applicant estimates first year operating revenues of \$38,000 and operating expenses of \$30,600 for his proposed charter operations. Applicant has nine years of experience in the motor vehicle transportation of passengers over public highways in Europe and four years of such experience in California. Applicant has a charter-party permit TCP-1711-P and operates a 14-passenger 1978 Dodge van. Applicant now owns a 1978 Mann diesel 53-passenger bus which requires Class B authority.

Findings of Fact

1. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service.
2. Greyhound withdrew its protest when applicant agreed to use only two buses in providing Class B charter-party 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 require that the requested authority be issued subject to the restriction on applicant's operations contained in Finding 2.
2. Applicant should be authorized to pick up passengers within a radius of 40 air miles from his home terminal at 8455 Fountain Avenue #616, Hollywood.

3. The following order should be effective on the date of signature because there is an immediate 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 Albert J. Hartmann, authorizing him 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 his home terminal at 8455 Fountain Avenue #616, Hollywood. Applicant shall not use more than two buses in providing this service.

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.

A.82-09-45 ALJ/emk

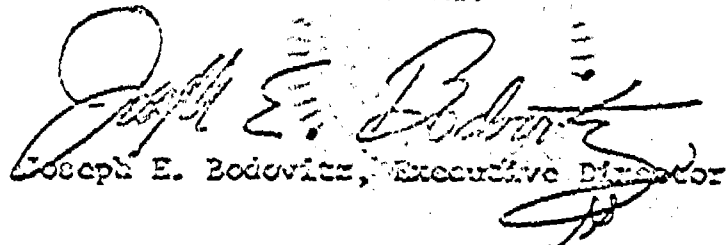
5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

This order is effective today.

Dated MAR 2 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
FRISCILLA C. GREW  
DONALD VIAL  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director