

Decision SS 03 04S MAR 16 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of AURELIO C. HERNANDEZ (BREA)
CHARTER) for a Class B charter)
bus certificate from home terminal)
in 1170 Orangewood Drive, Brea,)
CA 92621.)

Application 82-11-38
(Filed November 19, 1982)

O P I N I O N

Applicant Aurelio C. Hernandez, doing business as Brea Charter, 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 1170 Orangewood Drive, Brea.

Notice of the filing of this application appeared in the Daily Transportation Calendar of November 26, 1982. No protests were received.

Applicant holds a charter-party permit (TCP 1204-P). He has had three and one-half years of experience driving a 12- and a 15-passenger van and a 39-passenger bus. Applicant proposes to use his 1979 20-passenger Dodge bus in providing charter-party service.

On May 14, 1982 applicant's assets of \$174,000 consisted of \$10,000 in cash, \$130,000 in land and buildings, and \$34,000 in the cost of motor vehicle equipment. His liabilities of \$52,880 consisted of \$4,500 in accounts payable, \$48,000 in notes payable, and \$380 due on his motor vehicle equipment. His net worth was \$121,120 on that date.

Applicant estimates annual operating revenues of \$72,000 and operating expenses of \$55,500. His net revenues would be \$16,500 before income taxes.

Findings of Fact

1. Applicant has the fitness, equipment, and financial resources to perform the proposed service.
2. A public hearing is not necessary.
3. Applicant should be authorized to pick up passengers within a radius of 40 air miles from his home terminal at 1170 Oranewood Drive, Brea.
4. 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.
2. The following order should be effective today because there is a 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 Aurelio C. Hernandez authorizing him to operate as a Class B charter-party carrier of passengers, as defined in PU Code Section 5383, from a service area with a radius of 40 air miles from applicant's home terminal at 1170 Oranewood Drive, Brea.

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.

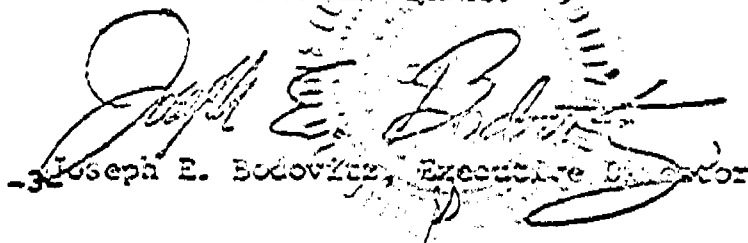
5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

This order is effective today.

Dated Mar 16 1980, 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 THESE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director