

Decision 83 04 034 APR 6 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
Earl W. Simning, dba PREFERRED)	
CHARTERS, for a Class B charter bus)	Application 83-01-58
certificate from home terminal in)	(Filed January 31, 1983)
Santa Rosa, California, at)	
1038 Fourth Street.)	
)	

O P I N I O N

Applicant Earl W. Simning, doing business as Preferred Charters, seeks a certificate of public convenience and necessity to operate as a Class B charter-party carrier from a terminal in Santa Rosa, California. He apparently will drive the 1979 MCI 46-passenger bus listed as his operating equipment. Applicant has had no prior authority from this Commission, but his application lists more than 15 years experience as a bus driver and six years as a tour operator.

Applicant's financial statement dated January 2, 1983 shows assets of \$142,000 and liabilities of \$85,000. The estimated annual results of operations lists total revenues of \$104,400 and total operating expenses of \$21,900.

Notice of the filing of the application was published in the Commission's Daily Calendar on February 1, 1983. No protests have been received.

Findings of Fact

1. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the service proposed by applicant.

3. Applicant should be authorized to pick up passengers within a radius of 40 air miles from his home terminal at 1038 Fourth Street, Santa Rosa, California.

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.

Conclusion of Law

Public convenience and necessity have been demonstrated and a certificate should be granted.

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 Earl W. Simning 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 1038 Fourth Street, Santa Rosa.

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.

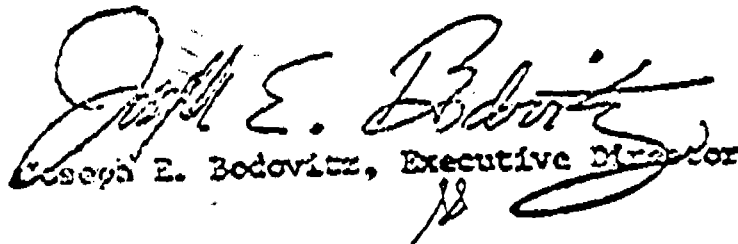
5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

This order becomes effective 30 days from today.

Dated APR 6 1983, at San Francisco, California.

LEONARD M. CRIMES, 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