

*Process*  
*70-30*

Decision 83 04 053 Apr 15 1983

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
 of JOY-TAK, INCORPORATED for a )  
 Class B charter bus certificate )  
 from home terminal in San Francisco, )  
 California. )

Application 83-01-59  
 (Filed January 31, 1983)

### O P I N I O N

Applicant Joy-Tak, Incorporated seeks a certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers from a terminal at Suite 500, 1255 Post Street, San Francisco, California. Applicant has leased two 1983 Ford 20-passenger buses, which will be purchased as soon as the certificate is granted. Applicant has seven years experience in California as a minibus operator under a charter-party permit (TCP-551). Applicant needs a certificate so that it may operate vehicles with capacity in excess of 15 passengers, to which its present permit limits it.

Applicant's financial statement dated December 31, 1982 shows assets of \$223,000 and liabilities of \$142,000. The estimated annual results of operations lists a charter revenue of \$500,000, and total revenue of \$1,096,812; total operating expenses are estimated as \$1,060,246.

Notice of the application appeared on the Commission's Daily Transportation Calendar on February 3, 1983. No protest or request for public hearing has 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 its home terminal at Suite 500, 1255 Post Street, San Francisco, 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.

5. A public hearing would have been scheduled as required by Public Utilities Code Section 5375.1, but since there are no protests the hearing would have served no useful purpose.

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 Joy-Tak, Incorporated authorizing it to operate as a Class B charter-party carrier of passengers, as defined in PU Code Section 5383, from a service area within a radius of 40 air miles from applicant's home terminal at 1255 Post Street, San Francisco.

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.

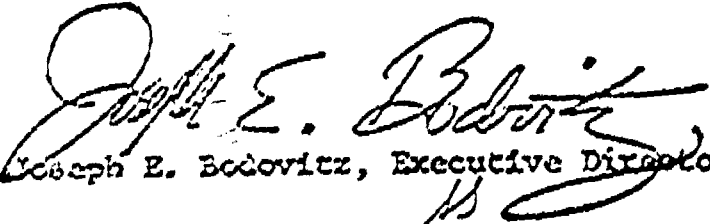
5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

This order becomes effective 30 days from today.

Dated APR 6 1983, at San Francisco, California.

LEONARD M. 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



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