

Decision S3 04 077 APR 20 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of HERBERT CHARLES FICKETT doing)
business as H&L DISTRIBUTORS for)
a Class B charter bus certificate)
from home terminal in San)
Bernardino.)
_____)

Application 82-12-27
(Filed December 13, 1982)

O P I N I O N

Applicant Herbert Charles Fickett, doing business as H&L Distributors, seeks authority to operate as a Class "B" charter-party carrier of passengers from his headquarters in San Bernardino, California. Applicant proposes to provide the charter service using one 1962 GMC 41-passenger bus which he owns.

Applicant's home terminal is located at 11720 Cricket Drive, Bloomington, California.

Notice of filing of the application appeared on the Commission's Daily Transportation Calendar dated December 16, 1982. No protests to the application have been filed with the Commission.

Applicant's financial statement as of September 24, 1982 shows assets of \$167,400 and total liabilities of \$108,190. Applicant alleges he has experience in the transportation of passengers by driving a church bus. In addition, applicant has bus driving experience in intrastate as well as interstate travel. The application lists applicant's insurance broker as Always Insurance Agency, Inc. at 3128 West Beverly Boulevard, Montebello, California 90640, and lists Bank of America's Bloomington Branch in Bloomington and Sterling-Highland Branch in San Bernardino, California, as financial references.

Findings of Fact

1. Applicant has the ability, experience, equipment, and financial resources to conduct the proposed service.
2. Public convenience and necessity require the service proposed by applicant.
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. A public hearing is not necessary.
5. There is a substantial need for the charter-party service proposed by applicant.

Conclusions of Law

1. Public convenience and necessity have been demonstrated and the requested authority should be granted.
2. Since there is an immediate public need for the service, the order should be made 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 Herbert Charles Fickett 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 11720 Cricket Drive, Bloomington, California 92316.
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.

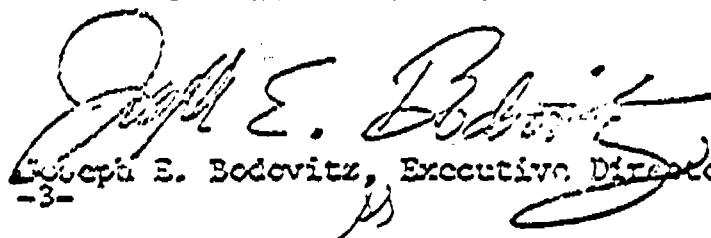
Dated APR 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
DONALD VIAL
Commissioners

Commissioner Priscilla C. Grow, being necessarily absent, did not participate in the disposition of this proceeding.

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


Joseph E. Bodovitz, Executive Director