

Decision S3 05 086 MAY 18 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Commuter Bus Lines, Inc., for)
removal of 150-mile restriction,)
Class "B" Charter Party)
Certificate No. TCP-69-B.)

Application 82-10-50
(Filed October 22, 1982)

O P I N I O N

In Decision (D.) 90294 issued May 8, 1979, Commuter Bus Lines, Inc. (applicant) was granted a certificate of public convenience and necessity authorizing it to operate as a Class B charter-party carrier of passengers from a service area encompassing a radius of 40 air miles from applicant's home terminal at 6254 Paramount Boulevard, Long Beach, subject to the following restriction set forth in Ordering Paragraph 1 of the decision: "1.... destinations within 150 air miles from applicant's home terminal."

The above 150 air miles restriction was proposed by Commuter so that Greyhound Lines, Inc., American Bus Lines, and Gray Line Tours of Los Angeles, who protested the initial application, would withdraw their protests. Protestants did withdraw.

Applicant now requests that the 150 air miles restriction be removed.

Notice of the filing of the application appeared on the Commission's Daily Calendar of October 25, 1982. No protests to granting the application were received. Thus, there is no need for a hearing on this matter.

Applicant requests an ex parte order be issued authorizing removal of the 150 air miles restriction of D.90294.

This Commission's present policy favors fostering competition to ensure that members of the public have the opportunity to select a service which best meets their needs. We see no justification for continuing the restriction set out in Ordering Paragraph 1 of D.90294.

Findings of Fact

1. In D.90294 issued May 8, 1979, applicant was granted a certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers.

2. This authority is restricted to transport passengers to destinations within 150 air miles from applicant's service area which has a radius of 40 air miles from its home terminal as set forth in Ordering Paragraph 1 of D.90294. Public convenience and necessity no longer require the destination restriction. ✓

3. No protest has been filed in this matter; a hearing is not necessary.

Conclusions of Law

1. The restriction on applicant's charter-party Class B certificate that limits service to a 150-air mile radius from its service area with a radius of 40 air miles from its home terminal should be rescinded.

2. This order should be effective today because there is no useful purpose in retaining the presently applicable restrictions.

O R D E R

IT IS ORDERED that the restriction to transport passengers to destinations within 150 air miles from applicant's home terminal in Ordering Paragraph 1 of D.90294 dated May 4, 1979 is rescinded.

This order is effective today.

Dated MAY 18 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

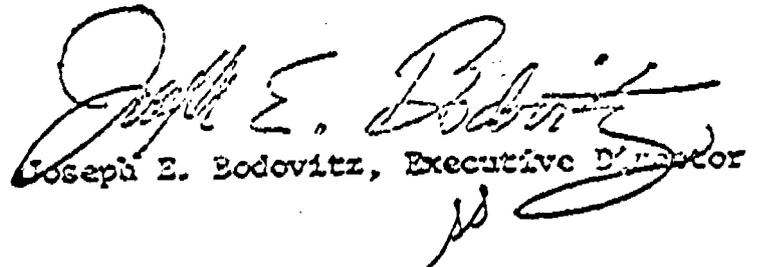
VICTOR CALVO

PRISCILLA C. GREW

DONALD VIAL

Commissioners

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


Joseph E. Bodovitz, Executive Director