

Decision 83 05 033 MAY 18 1983

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
Phillip Bullington, d.b.a. APPLE )	Application 83-03-06
TOURS, to modify Decision 82-01-79 )	(Filed March 2, 1983)
to eliminate the one-bus restriction)	
imposed by this decision. )	
_____ )	

O P I N I O N

Phillip J. Bullington (applicant), dba Apple Tours, was granted a Class B charter certificate (TCP 135-B) in Decision 82-01-79 issued on January 19, 1982 in Application 60975. That decision contained a restriction limiting applicant to a single bus.

The original application was protested by Greyhound Lines Inc. (Greyhound). Greyhound offered to withdraw its protest if applicant would agree to limit himself to a single bus. Applicant accepted and the certificate was granted ex parte.

Applicant now asks to be relieved of this restriction. Applicant also contends that his operation will be more flexible and hence better able to serve the public if the restriction were removed.

This matter appeared on the Transportation Calendar on March 7, 1983. There have been no protests. It appears therefore that the condition may no longer be "reasonably...necessary to protect any existing charter-party carrier of passengers." (PU Code § 5375.1.)

We find that the restriction limiting applicant to a single bus is no longer necessary for the protection of any charter-party carrier and conclude that it should be rescinded.

O R D E R

IT IS ORDERED that:

1. The last sentence of Ordering Paragraph 1 of Decision 82-01-79 is rescinded.
2. In operations under his Class B charter-party carrier's certificate, Phillip J. Bullington is authorized to operate any number of vehicles.

This order becomes effective 30 days from today.

Dated MAY 18 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

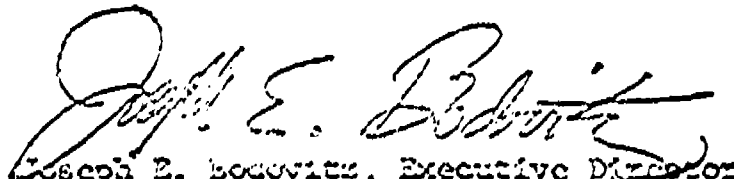
VICTOR CALVO

PRISCILLA C. GREW

DONALD VIAL

Commissioners

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

  
Joseph E. Bodovitz, Executive Director