

ORIGINAL

Decision 83 06 029

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
MARK S. NESS and THOMAS D. HAMILTON,  
doing business as SAN DIEGO EXPRESS,  
for certificate of public convenience  
and necessity to operate passenger,  
baggage and express service between  
El Centro, Ca. and Lindberg [sic]  
Field, and continued service between  
Lindberg Field and the San Diego  
area.

Application 82-01-52  
(Filed January 26, 1982;  
amended March 8, 1982  
and June 21, 1982)

FINAL OPINION

The interim opinion and order in this proceeding (Decision (D.) 82-07-057) issued July 7, 1982 authorized applicants Mark Ness and Thomas Hamilton to begin service with a single small bus. Greyhound Lines Inc. (Greyhound) had protested the application.

The limitations on number and size of buses were arranged by a stipulation between Greyhound and applicants. Applicants now contend that the limitation to a single bus is adverse to the public interest. By letter dated April 21, 1983, Greyhound has withdrawn its protest.

We find that applicants should no longer be prohibited from operating more than a single 20-passenger bus and conclude that they should be granted operating authority without this restriction.

FINAL ORDER

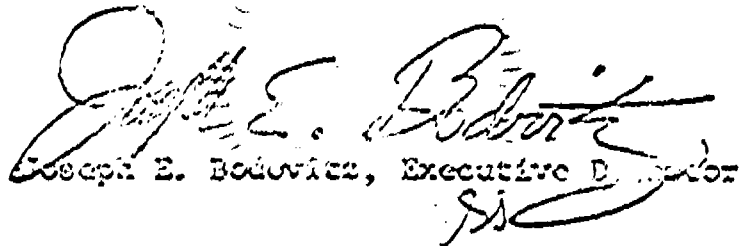
IT IS ORDERED that Appendix PSC-1213 of D.82-07-057 is amended by replacing Original Page 1 with First Revised Page 1 (attached).

This order becomes effective 30 days from today.

Dated JUN 1 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
PRISCILLA C. CREW  
DONALD VIAL  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,  
AND SPECIFICATIONS.

Mark S. Ness and Thomas D. Hamilton (applicants), doing business as San Diego Express, by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized as a passenger stage corporation to transport express (including newspapers) weighing 100 pounds or less, on passenger-carrying vehicles between all points and places as stated, passengers and their baggage on an "on-call" and scheduled basis between the City of El Centro and the San Diego International Airport-Lindbergh Field (SAN) in San Diego over and along the most appropriate route, subject, however, to the authority of this Commission to change or modify the route at any time and subject to the following provisions:

- (a) The term "on-call" as used refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized on-call service will be rendered.
- (b) Motor vehicles may be turned at termini and intermediate points, in either direction, at the intersection of roads or by operating around an area contiguous to such intersections, in accordance with local traffic regulations.
- (c) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (d) No passenger shall be transported except those having point of origin or destination at SAN or the personnel employed at that airport.
- \*(e) Applicants shall be limited to the operation of buses carrying no more than 20 passengers.

Issued by California Public Utilities Commission.

\*Amended by Decision 83 06 029, Application 82-01-52.