

Decision 83 06 061 JUN 15 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of DAVID M. NORTH and JERRY D.)
AKENS dba ARROW TRANSIT for a)
Class B charter bus certificate)
from home terminal in San Diego,)
California.)

Application 83-03-01
(Filed March 2, 1983)

O P I N I O N

Applicants David M. North and Jerry D. Akens, a partnership, dba Arrow Transit, request authority to operate as a Class B charter-party carrier of passengers from a service area with a radius of 40 air miles from their home terminal at the 6900 block of Linda Vista Road, San Diego, California 92111.

Applicants presently own three wide-body Dodge vans and lease a fourth such vehicle. The vehicles carry between 15 and 17 passengers each. Applicants showed total assets of \$65,300 and total liabilities of \$36,000 as of January 31, 1983.

Notice of the filing of this application appeared on the Commission's Daily Transportation Calendar of March 3, 1983, making direct notification to potential competitors unnecessary (Rule 15.1, Rules of Practice and Procedure). In addition, applicants notified various entities in Los Angeles and San Diego.

No protests have been received by the Commission; thus, there is no need for a hearing in this matter.

Applicants appear to be fit and able to perform the proposed service. With respect to relevant experience, applicants have been issued operating authority by this Commission under Decision 83-02-027 (PSC-1194) under which they run a scheduled home-to-work commuter service. Further, applicants operate a jitney service in San Diego, authorized by the City of San Diego Paratransit Department, running two to four vehicles approximately 10 hours per day, seven days per week between downtown San Diego and four major military bases. In addition, applicants state that they operate a scheduled shuttle bus service in La Jolla, California, six and one-half hours per day, five days a week.

Although applicants submitted no environmental assessment under Rules of Practice and Procedure, Rule 17.1(d)(1), we conclude that the nature of the service proposed could only result in salutary environmental effects.

Findings of Fact

1. Applicants have the ability, experience, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the service proposed by applicants.
3. Applicants should be authorized to pick up passengers within a radius of 40 air miles from their home terminal at the 6900 block of Linda Vista Road, San Diego, California 92111.
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.

Conclusion of Law

Public convenience and necessity have been demonstrated and a certificate should be granted. Given the need for the proposed service, the following order should be 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 David M. North and Jerry D. Akens, a partnership, authorizing them to operate as a Class B charter-party carrier of passengers, as defined in Public Utilities Code Section 5383, from a service area with a radius of 40 air miles from applicants' home terminal at the 6900 block of Linda Vista Road, San Diego, California 92111.
2. Applicants 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. This certificate does not authorize the holders to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

5. In providing service under the certificate, applicants shall comply with General Orders Series 98 and 115 and the CHP safety rules.

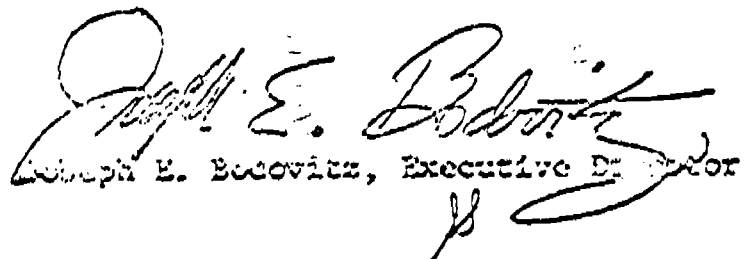
This order is effective today.

Dated JUN 15 1987, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bocovitz, Executive Director