

Decision 83 06 105 JUN 29 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of
 DOUG BOMBARD ENTERPRISES, a
 California corporation, doing
 business as CATALINA COVE AND
 CAMP AGENCY, also doing business
 as CATALINA MOORING SERVICE, for
 a certificate of public convenience
 and necessity to operate a common
 carrier service by vessel between
 points and places on Santa Catalina
 Island, California, and between
 such points and places and vessels
 on the inland waters of the State,
 and between such vessels on the
 inland waters of the State as a
 passenger water taxi service.

Application 56429
 (Filed April 23, 1976)

ORDER OF REVOCATION

Commission Decision (D.) 86007, dated June 29, 1976, granted Doug Bombard Enterprises, a California corporation doing business as Catalina Cove and Camp Agency and Catalina Mooring Service, a certificate of public convenience and necessity as a vessel common carrier (VCC-45) for the purpose of operating a water taxi on-call service to carry passengers between points on and in the waters around Santa Catalina Island.

Section I of Appendix A to D.86007 sets forth the general authorizations, restrictions, limitations, and specifications under which Doug Bombard Enterprises may operate as a vessel common carrier. Subparagraph 1. of Section I states, "Service shall be operated with vessels of less than five tons net register."

Subsequent to the issuance of the vessel common carrier certificate to Doug Bombard Enterprises, the Legislature amended Section 238 of the Public Utilities Code to change the definition of a regulated "vessel" to the following: "'Vessel' includes every species of watercraft, by whatsoever power operated, which is owned,

controlled, operated, or managed for public use in the transportation of persons or property, except rowboats, sailing boats, barges under 20 tons dead weight carrying capacity, and vessels under the burden of five tons net register. (Emphasis added.)

Findings of Fact

1. Doug Bombard Enterprises was authorized by D.86007 to operate a water taxi in the waters around Santa Catalina Island.
2. Appendix A of D.86007 restricts Doug Bombard Enterprises to the use of vessels under five tons net register.
3. Section 238 of the Public Utilities Code has been amended so that operators of vessels under five tons net register no longer require vessel common carrier certificates.

Conclusions of Law

1. Doug Bombard Enterprises can conduct operations as a water taxi using vessels under five tons net register without a certificate as a vessel common carrier.
2. The certificate of Doug Bombard Enterprises as a vessel common carrier is not needed and should be revoked.

IT IS ORDERED that:

1. The certificate of public convenience and necessity as a vessel common carrier granted to Doug Bombard Enterprises for the purpose of operating a water taxi in the waters around Santa Catalina Island, as authorized by D.86007, is revoked upon the effective date of this order.
2. Appendix A of D.86007 is cancelled.
3. All current tariffs and timetables filed with the Commission by Doug Bombard Enterprises are cancelled.

The Executive Director shall mail a certified copy of this order to:

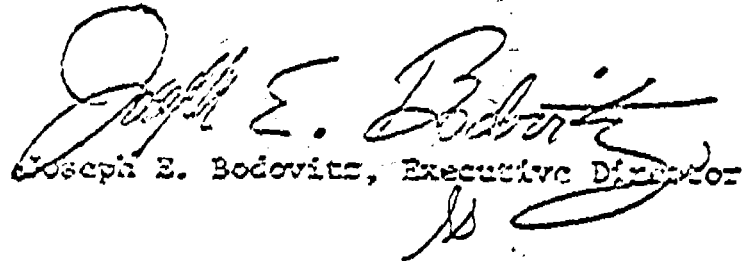
Doug Bombard Enterprises
P. O. Box 1566
Avalon, CA 90704

This order becomes effective 30 days from today.

Dated JUN 29 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioner

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


Joseph E. Bodovitz, Executive Director