

ORIGINAL

Decision 83 08 024 AUG 3 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Lorrie's Travel & Tours, Inc. to modify its certificate to operate as a Class "B" charter-party carrier of passengers.

Application 83-05-41  
(Filed May 19, 1983)

O P I N I O N

Lorrie's Travel & Tours, Inc. (Lorrie) operates as both a passenger stage corporation and a charter-party carrier. This matter concerns its charter operations. Specifically, Lorrie requests removal of the present restriction in its Class B charter-party certificate limiting it to using vehicles with a maximum passenger capacity of 21.

The reasons Lorrie gives are: (1) there are no vehicle capacity restrictions applicable to its passenger stage operation, and (2) all the new vehicles it has "on order" have capacity for more than 21 passengers.

This application was noticed on the Daily Transportation Calendar of May 24, 1983.

McCarthy, dba Ace Mini Bus Service, was the predecessor carrier who was originally issued the Class B certificate in question. That was in 1978, by Decision 89676 in Application 58003. Lorrie subsequently acquired the certificate, with, of course, the restriction originally placed on McCarthy.

The vehicle passenger capacity restriction for this particular Class B certificate (TCP-58B) was imposed at McCarthy's request in 1978 so the following carriers would withdraw protests to

his application: Greyhound Lines, Inc., Falcon Charter Service, and Eastshore Lines. After McCarthy amended his application to request the restriction, all protests were withdrawn, and the certificate was issued.

There have been no protests to this application.

Lorrie does not allege there is a public demand for larger vehicles, but rather that if the restriction is removed Lorrie will have flexibility to use the same equipment for both its charter and common carrier operations. Absent any protests, we find that is an adequate reason to remove the restriction. It will allow a more efficient overall operation, which can potentially benefit both charter and common carrier patrons; the resulting cost savings from having interchangeable equipment can potentially be passed on to Lorrie's patrons through lower fares.

#### Findings of Fact

1. Certificate TCP-58B has a restriction limiting the capacity of vehicles used to a maximum of 21 passengers.
2. Removing the restriction could allow Lorrie to use larger vehicles for both its common carrier and charter service.
3. No protests have been filed.

#### Conclusion of Law

It is in the public interest to order the removal of the equipment capacity restriction in Certificate TCP-58B.

O R D E R

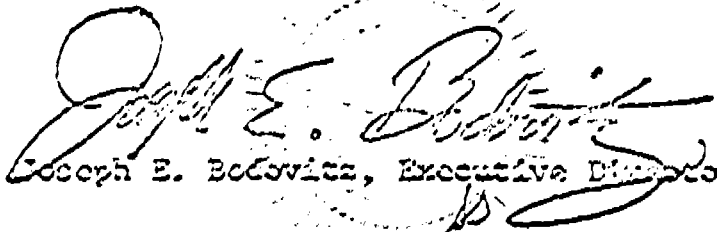
IT IS ORDERED that the restriction in Certificate TCP-58B which limits the vehicle capacity for vehicles used to perform charter service is removed. All other restrictions remain in effect.

This order becomes effective 30 days from today.

Dated     AUG 3 1983    , 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. Bolovitz, Executive Director