

**ORIGINAL**

Decision 83 OS 070 AUG 17 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of George E. Downs (Pacific )  
State Charter) for a Class B )  
charter bus certificate from home )  
terminal in Castro Valley, )  
California. )

Application 83-06-50  
(Filed June 22, 1983)

O P I N I O N

George E. Downs, dba Pacific State Charter, has applied for a certificate of public convenience and necessity as a Class B charter-party carrier of passengers (Public Utilities (PU) Code Sections 5371.1 to 5375).

No other Commission operating authority has been held by applicant.

Applicant's total assets are \$186,000; \$50,000 of this is attributed to applicant's bus. It is projected that the typical year's revenue mileage will be 60,000 miles producing a revenue of \$190,000.

Notice of the filing of this application appeared in the Commission's Daily Calendar on June 28, 1983. No protests have been received.

Findings of Fact

1. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service.

2. Public convenience and necessity require the service proposed by applicant.

3. Applicant should be authorized to pick up passengers within a radius of 40 air miles from his home terminal.

4. No public hearing is necessary.

5. 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.

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 George E. Downs authorizing him to operate as a Class B charter-party carrier of passengers, as defined in PU Code Section 5383, from a service area with a radius of 40 air miles from applicant's home terminal at 5151 Crow Canyon Road, Castro Valley, California.

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

5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by both this Commission and the airport authority involved.

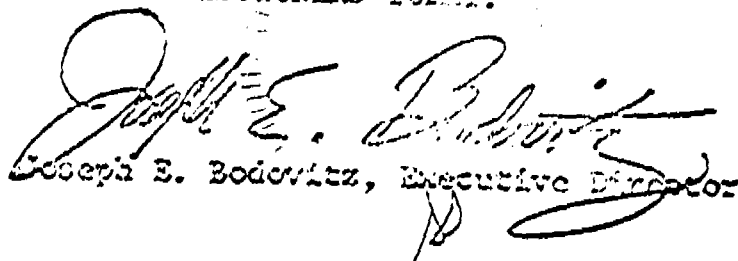
This order becomes effective 30 days from today.

Dated     AUG 17 1983    , at San Francisco, California.

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

Commissioner Leonard M. Grimes, Jr.,  
being necessarily absent, did not  
participate.

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

  
Joseph E. Bodovitz, Executive Director