

ORIGINAL

Decision 83 10 071 OCT 19 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of FRANK C. MIRANDA, d.b.a. VINE )  
LINE LINE /sic/ CHARTERS, to )  
modify Decision 91254 to eliminate )  
the two bus and ten mile radius )  
restriction imposed by this )  
decision. )

Application 83-08-23  
(Filed August 8, 1983)

O P I N I O N

Frank C. Miranda, dba Vine Line Charters, holder of a certificate of public convenience and necessity issued under Decision (D.) 91254 dated January 15, 1980, requests that a restriction placed in D.91254, imposing a two-bus maximum and 10-mile pickup radius, be removed.

Notice of the filing of the application appeared in the Commission's Daily Calendar dated August 12, 1983. There have been no protests filed in connection with this application.

Imposition of the restriction was to permit applicant to provide the requested service with little significant effect upon existing carriers in the area and also to eliminate the possibility of a successor conducting more extensive operations. Applicant now desires removal of these restrictions in order to achieve greater operational flexibility and to better serve the traveling public in the Fresno area. Inasmuch as applicant has been operating, apparently successfully, since January 1980 and there have been no protests to this application, the request should be granted.

Findings of Fact

1. Applicant requests removal of the two-bus maximum and 10-mile radius restriction contained in his Class B charter-party carrier of passengers certificate.
2. Applicant has been operating his charter-party service since January 1980.
3. There have been no protests to this application.
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.

Conclusions of Law

1. A public hearing is not necessary.
2. Public convenience and necessity require that the request for removal of the two-bus maximum and 10-mile radius restriction contained in D.91254 dated January 15, 1980 be granted.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. The restriction contained in the certificate of public convenience and necessity issued to applicant Frank C. Miranda authorizing him to operate as a Class B charter-party carrier of passengers, as defined in PU Code Section 5383, which limits his service area to a radius of 10 miles from his terminal at 4826 East Balch Street, Fresno, California, is removed. Applicant may operate from a service area within 40 air miles from his home terminal.

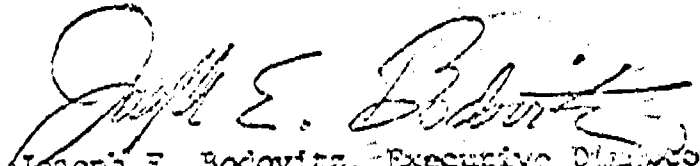
2. The restriction in the certificate of public convenience and necessity issued to applicant, limiting him to operate a maximum of two buses, is removed.

This order becomes effective 30 days from today.

Dated OCT 19 1983, at San Francisco, California.

LEONARD M. CRIMES, JR.  
President  
VICTOR CALVO  
PRISCILLA C. GREY  
DONALD VIAL  
WILLIAM T. SAGLEY  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director