

ORIGINAL

Decision 83 10 072 OCT 19 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
Wilbert L. Wyatt and Henry Howell,)
dba Westwind Charter, for a Class B)
charter bus certificate from home)
terminal in Los Angeles.)

Application 83-08-53
(Filed August 19, 1983)

O P I N I O N

Wilbert L. Wyatt and Henry Howell, dba Westwind Charter, seek a Class B certificate of public convenience and necessity to operate as a charter-party carrier of passengers from a service area with a 40-mile radius from their home terminal at 79th and Santa Fe, in Los Angeles.

Notice of the filing of this application appeared in the Daily Transportation Calendar of August 25, 1983. There were no protests.

Wyatt has driven buses for the United States Air Force and for a church. Howell has driven buses for a charter-party carrier and for a church. Howell has 32 years of experience as a truck driver.

Applicants furnished additional and revised information on their application by letter dated September 7, 1983 which was received as Exhibit 1. As of September 7, 1983 applicants' assets of \$120,993 consisted of \$65,490 in cash, \$2,200 in accounts receivable, \$200 in inventory, \$1,044 in other current assets, \$51,509 in motor vehicle equipment, and \$550 in shop equipment. Their liabilities of \$1,640 consisted of accounts payable of \$830, notes payable of \$500, and other liabilities of \$310.

Applicants estimate annual revenues from their operations of \$34,600 per year, consisting of \$31,600 in charter revenues and \$3,000 in other revenues. Their estimate of annual operating expenses, excluding income taxes, is \$23,160. Applicants propose to use their 46-passenger Eagle bus in their charter operations.

Applicants assert that there are more requests for charter-party service in their proposed service area than existing carriers can handle. Therefore, there is a need for their proposed service.

Findings of Fact

1. Applicants have the ability, equipment, and financial resources to perform the proposed service.
2. A public hearing is not necessary.
3. Applicants should be authorized to pick up passengers within a radius of 40 miles from their home terminal at 79th and Santa Fe, in Los Angeles.
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. Public convenience and necessity require that the requested authority be issued.
2. The following order should be effective today because there is a public need for the proposed service.

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 Wilbert L. Wyatt and Henry Howell, authorizing them 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 applicants' home terminal at 79th and Santa Fe, in Los Angeles.

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 issued 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, applicants 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 is effective today.

Dated OCT 19 1983, at San Francisco, California.

LEONARD M. CRIMES, JR.
President

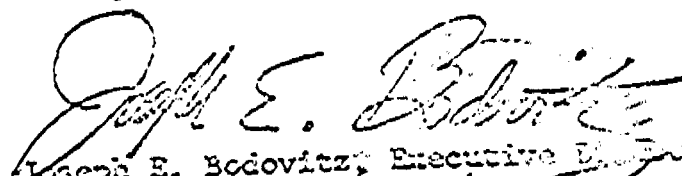
VICTOR CALVO

PRISCILLA C. CREW

DONALD VIAL

WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director