

Decision 83 11 040 November 2, 1983**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of MUNEAKI NOZOE dba NEW HORIZON)
ENTERPRISE for a Class B charter)
bus certificate from home terminal)
in Los Angeles (North Hollywood,)
CA).)

Application 83-07-19
(Filed July 11, 1983)

O P I N I O N

Muneaki Nozoe, dba New Horizon Enterprise, seeks 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 his home terminal at 11935 Kling Street #14, North Hollywood.

Notice of the filing of this application appeared in the Daily Transportation Calendar on July 15, 1983. There were no protests.

Applicant has been employed as a driver for a tour operator from July 1981 to the present time. Between 1976 and 1981 he had been employed as a tour guide and as a sales representative for two firms.

On June 27, 1983 applicant's assets, excluding the cost of two automobiles, totaled \$98,300 including \$3,000 in cash, \$200 in materials and supplies, \$87,000 in land, \$8,000 in motor vehicle equipment, and \$100 in shop equipment. His liabilities of \$9,200 consist of notes payable of \$2,700 and amounts due on motor vehicle equipment of \$6,500. Applicant estimates his annual charter revenues will total \$30,000 and his operating expenses will total \$8,150. Applicant proposes to operate a 1980 Dodge van with a capacity of 14 passengers excluding the driver in providing the proposed service.

By letter dated June 27, 1983, attached to the application, the Japan Travel Bureau (JTB) supports the application. The letter states that existing service is inadequate because the other services do not have Japanese-speaking guides; applicant can provide it with service on short notice and provide a needed Japanese-speaking guide; and applicant's drivers are superior to those of other operators. JTB states it will use applicant's service if the requested authority is granted.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. 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 to applicant. He should be authorized to pick up passengers within a radius of 40 air miles from his home terminal at 11935 Kling Street #14, North Hollywood.
2. The effective date of this order should be the date of signature in order that applicant may begin operations of a needed service as soon as possible.

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 Muneaki Nozoe 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 11935 Kling Street #14, North Hollywood.

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 is effective today.

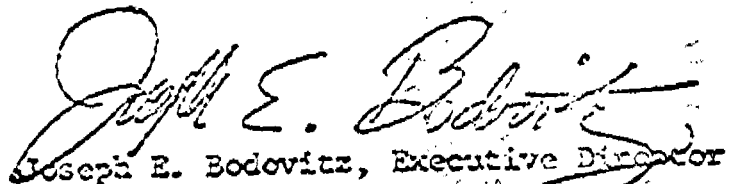
Dated NOV 2 1985, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. CREW
WILLIAM T. BAGLEY
Commissioners

Commissioner Donald Vial, being necessarily absent, did not participate.

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


Joseph E. Bodovitz, Executive Director

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