

Decision S3 11 106 NOV 30 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
Gerald Austin Sherman, doing business  
as Timberline Charter to modify  
Decision 82-03-091 to remove the  
restriction limiting its operation  
to a single passenger bus of its  
Class B charter-party carrier of  
passengers certificate to operate  
in Newbury Park.

Application 83-08-15  
(Filed August 4, 1983)

O P I N I O N

Gerald Austin Sherman, doing business as Timberline Charter (Timberline), operates as a certificated Class B charter-party carrier. Timberline's authority was granted in Decision 82-03-091 dated March 16, 1982 (Application 61059). The home terminal is 3286 Frankie Drive, Newbury Park.

Timberline seeks to eliminate a restriction to one bus which was imposed by our previous decision. This application appeared in the Commission's Daily Transportation Calendar on August 9, 1983 and there are no protests.

Findings of Fact

1. Timberline's Class B charter-party authority is presently limited to one bus.
2. Much of Timberline's transportation is for senior citizens. For some trips for such passengers, Timberline's present bus is unsuitable because it has no reclining seats and no restroom.
3. If the restriction is removed, Timberline intends to purchase a 1963 MCI bus with reclining seats and a restroom for the comfort of passengers on longer trips.

4. Additionally, because of the one-bus restriction, Timberline has been unable to accommodate more than one group at a time. Additional available business makes a second bus necessary.

5. There are no protests to this application, and no hearing is necessary.

Conclusion of Law

The application should be granted as set forth in the order. Since there are no protests, this order should be effective at once.

O R D E R

IT IS ORDERED that:

1. Applicant's certificate of public convenience and necessity is modified to remove the present restriction to one bus. Except for this modification, applicant's authority shall remain as set forth in Class B charter-party certificate TCP-143-B issued in Decision 82-03-091.

2. Applicant shall obtain California Highway Patrol (CHP) clearance for each vehicle to be used in its operation, and shall notify the Commission and the CHP of any addition of vehicles used in the service prior to use, and of any deletions.

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 30 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO

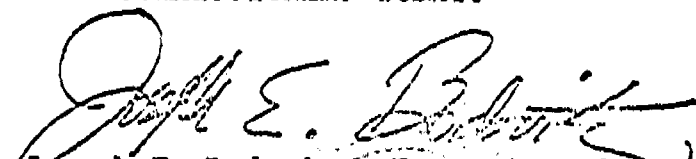
PRISCILLA C. GREW

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