

ORIGINAL

Decision 83 11 112

NOV 30 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of MERCURY TOURS for a Class B)
charter bus certificate from)
home terminal in Foster City,)
California.)

Application 83-07-27
(Filed July 14, 1983)

O P I N I O N

Mercury Tours (applicant) was incorporated in California on May 23, 1983. A certified copy of the articles of incorporation is attached to the application. Applicant is requesting the issuance of a Class B charter-party certificate to operate out of a terminal at 1061 Beach Park Boulevard, Foster City, San Mateo County.

Applicant will operate with two 1978 MCI 49-passenger buses, which have been leased. Applicant's president has more than 20 years experience as a charter and tour bus driver. Applicant's balance sheet as of July 11, 1983 shows assets of \$22,725 and total liabilities of \$1,500. The estimated annual result of charter operations lists revenues of \$37,500 and expenses of \$33,000.

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on July 19, 1983. No protest or request for public hearing has 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 at 1061 Beach Park Boulevard, Foster City.
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.

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 Mercury Tours authorizing it 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 1061 Beach Park Boulevard, Foster City.
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.

6. The Class B certificate of public convenience and necessity granted by this order does not authorize round-trip sightseeing-tour service, which is not subject to regulation by this Commission.

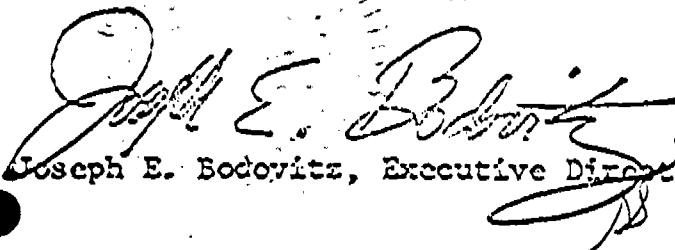
This order becomes effective 30 days from today.

Dated NOV 30 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. CREW
WILLIAM T. SAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director

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