

ALJ/emk/jc

Decision 83 12 114 NOV 30 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of HAROLD D. JOYNT, doing business )  
as Scenic America Charter Leasing, )  
for a Class B charter bus certifi- )  
cate from home terminal in Downey, )  
California. )

Application 83-09-06  
(Filed September 2, 1983)

O P I N I O N

Harold D. Joynt (applicant), doing business as Scenic America Charter Leasing, seeks a certificate of public convenience and necessity to operate as a Class B charter-party carrier of passengers from a terminal at 12401 Woodruff Avenue, Downey. Applicant owns a 1969 47-passenger Prevost Champion bus. Applicant has four years' experience as a bus mechanic and as a charter driver through six western states. Applicant has never held operating authority from this Commission.

Applicant's financial statement dated August 22, 1983 shows assets of \$140,175 and liabilities of \$59,000. The estimated annual result of charter operations lists revenue of \$57,000 and expenses of \$29,766.

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on September 7, 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 12401 Woodruff Avenue, Downey.
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 Harold D. Joynt, 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 12401 Woodruff Avenue, Downey.
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 operations which are not regulated by this Commission.

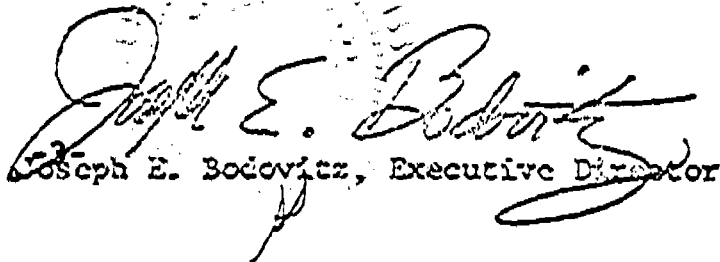
This order becomes effective 30 days from today.

Dated NOV 30 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
PRISCILLA C. GREW  
WILLIAM T. BACLEY  
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