

ORIGINAL

SC294

MAY 8 1979

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
COMMUTER BUS LINES, INC., for Class B)
certificate to operate as charter-party)
carrier of passengers, Long Beach.)
(File TCP-69-B))

Application No. 58564
(Filed January 2, 1979;
amended March 16, 1979)

James C. Carson, for Commuter Bus
Lines, Inc., applicant.

O P I N I O N

This is an application by Commuter Bus Lines, Inc. (Commuter) seeking a Class B certificate to operate as a charter-party carrier of passengers.

A duly noticed public hearing was held in this matter before Administrative Law Judge Donald B. Jarvis in Los Angeles on March 27, 1979 and it was submitted on that date.

Initially, Greyhound Lines, Inc., American Bus Lines, Inc., Trailways, Inc., and The Gray Line Tours Company protested the application. Thereafter, Commuter amended the application and the protests were withdrawn.

The amended application seeks authority to operate charter bus service from points of origin within 40 miles of Commuter's Long Beach terminal to destinations within 150 miles of the terminal.

The Commission makes the following findings and conclusion:

Findings of Fact

1. Commuter operates as a passenger stage corporation under operating authority granted by the Commission. The predecessor in interest of some of the operating rights previously held a charter-party carrier certificate but sold it during a period of financial difficulty.
2. Commuter operates 41 diesel buses.
3. Commuter had net assets of \$121,686 as of June 30, 1978.
4. Commuter has the ability including financial ability to conduct the proposed operations.
5. Commuter has received numerous requests from members of the public to provide charter service. There are frequent requests from Commuter's home-to-work commute customers for charter service.
6. In the light of the withdrawal of the protests to the application pursuant to Section 5375.1 of the Public Utilities Code, we find that none of the existing charter-party carriers in the territory ~~will provide the service herein proposed adequately~~ for the public or to the satisfaction of the Commission.
7. Public convenience and necessity require that the operating rights requested in the amended application be granted.
8. Commuter should be authorized to pick up passengers within a radius of 40 air miles from its terminal and transport them to destinations within 150 air miles from its terminal.
9. 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

The amended application 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, shall be issued to Commuter Bus Lines, Inc. authorizing it to operate as a Class B charter-party carrier of passengers, as defined in Section 5383 of the Public Utilities Code, from a service area encompassing a radius of 40 air miles from applicant's home terminal at 6254 Paramount Boulevard, Long Beach, California, and to transport passengers to destinations within 150 air miles from applicant's home terminal.

2. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulation. Failure to do so may result in cancellation of the operating authority granted by this decision.

Applicant will be required, among other things, to comply with and observe the safety rules administered by the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-Series, and the insurance requirements of the Commission's General Order No. 115-Series.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 8th day of MAY 4, 1979.

John E. Byrne
President
Vernon L. Sturgeon

Commissioner Richard D. Gravello, being necessarily absent, did not participate in the disposition of this proceeding.

Richard D. Gravello
General W. J. ...
Commissioners