

JUL 17 1979

ORIGINAL

Decision No. 90558

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )	
of SAN CLEMENTE STAGE LINES, INC., )	Application No. 58480
for Class "B" certificate to )	(Filed November 20, 1978;
operate as charter-party carrier )	amended March 5, 1979
of passengers, San Clemente )	and April 20, 1979)
(File No. TCP-67-B). )	

O P I N I O N

This is an application by San Clemente Stage Lines, Inc., a California corporation, for a Class "B" certificate to operate as a charter-party carrier of passengers. Applicant's home terminal is located at the Greyhound bus terminal located at 306 South El Camino Real, San Clemente, California. Notice of the filing of the application appeared in the Commission's Daily Calendar dated Wednesday, November 22, 1978.

The application states that applicant operated a transit line pursuant to authority granted by Decisions Nos. 55125, 51394, and 59142 from 1965 to December 1967; that applicant operated as a Class "A" charter-party carrier of passengers pursuant to TCP-102 between 1964 and 1967; and that it was authorized to sell its operating rights to Community Enterprises, Inc. by Decision No. 73509.

The application states that applicant proposes to operate a 1961 Crown bus having a 51-passenger seating capacity (License No. 1M25718) and a 1963 Crown bus with a seating

capacity of 51 persons (License No. 1M25750) which are owned<sup>1/</sup> by applicant. A joint protest to the granting of the requested authority was filed by American Bus Lines, Inc. and Trailways, Inc. which hold Class "A" charter-party carrier of passengers certificates and by Goodall's Charter Bus Service, Inc., a Class "A" charter-party carrier of passengers.

In the first amendment, applicant agreed to a restriction against originating charters in the cities of Long Beach, Huntington Beach, Anaheim, and Santa Ana and also agreed to not operate a charter to a destination which was more than 100 miles from the point of pickup. In the second amendment, applicant agreed to a restriction against operating charters from points and places south of the southern boundary of the Camp Pendleton Marine Corps base.

The protests to the granting of the certificate to applicant were withdrawn providing that the restrictions in the first and second amendments to the application were adopted by the Commission.

A staff file memo, Exhibit 1, states that there are no Class "B" charter-party carrier of passengers whose operations extend within the 40-mile pickup radius proposed by applicant.

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<sup>1/</sup> The June 30, 1978 balance sheet of applicant and of its parent, Campbell Enterprises (Campbell), does not show any buses. On September 25, 1978 Educational and Recreational Services, Inc. and applicant filed Application No. 58381, providing for the sale of certain passenger stage authority and equipment. This transfer was approved by Decision No. 89748 dated December 12, 1978. The vehicles listed in Application No. 58381 had different license plates than those listed in this application. By letter dated May 18, 1979 (Exhibit 2) applicant's attorney states that the above-mentioned vehicles were transferred to applicant and new license plates were issued for these vehicles.

Applicant's June 30, 1978 balance sheet shows a total capital of \$69,142.33. Applicant is a wholly owned subsidiary of Campbell. Campbell's total capital as of June 30, 1978 was \$294,300.63.

Findings of Fact

1. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed service.
2. Applicant's terminal is located at 306 South El Camino Real, San Clemente, California.
3. The proposed service should be restricted as follows:
  - a. Applicant shall not originate any charters in the cities of Long Beach, Huntington Beach, Anaheim, and Santa Ana.
  - b. Applicant shall not originate any charters from points and places south of the southern boundary of the Camp Pendleton Marine Corps base.
  - c. Applicant shall not operate charters to points of destination more than 100 miles from the point of pickup.
4. All protests to the granting of applicant's Class "B" charter-party carrier of passengers permit have been withdrawn.
5. No hearing is necessary in this proceeding.
6. Public convenience and necessity require that the service proposed by applicant be established.
7. 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 Commission concludes that the proposed authority should be issued, subject to certain restrictions, as provided for in the following order.

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 applicant, San Clemente Stage 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 miles from applicant's home terminal at 306 South El Camino Real, San Clemente, California, subject to the following restrictions:

- a. Applicant shall not originate any charters in the cities of Long Beach, Huntington Beach, Anaheim, and Santa Ana.
- b. Applicant shall not originate any charters from points and places south of the southern boundary of the Camp Pendleton Marine Corps base.
- c. Applicant shall not operate charters to points of destination more than 100 miles from the point of pickup.

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.

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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 JUL 17 1979, San Francisco, California. ✓

John E. Snyron  
President  
George L. Sturgeon  
Richard D. Howell  
Charles J. DeLoach  
Terrence J. Quinn  
Commissioners