

ORIGINAL

Decision No. 90602 JUL 31 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
John C. Collins (Collins Charter) for)
a Class "B" certificate to operate)
as a Charter-party Carrier of)
Passengers, LA.)

Application No. 58729
(Filed March 7, 1979)

John C. Collins, for himself, applicant.
William O. Austin, for the Commission staff.

O P I N I O N

John C. Collins (Collins), dba Collins Charter, requests authority to operate as a Class B charter-party carrier of passengers from his headquarters in Los Angeles, California. Collins proposes to provide such service with a 1965 MC5A motor coach with a seating capacity of 41 passengers, excluding the driver.

A duly noticed public hearing was held in this matter before Administrative Law Judge N. R. Johnson in Los Angeles on April 25, 1979, and the matter was submitted.

Initially, Greyhound Lines, Inc., protested the granting of the application, but when Collins agreed to restrict his operations to handling charter groups originating within the city of Los Angeles and destined to points within a 125-mile radius of the city of Los Angeles, Greyhound withdrew its protest.

Collins presented testimony indicating that:

1. He has been involved in charter-party operations through various companies for approximately seven years.
2. The demand for charter-party buses has increased substantially during the past few years.
3. It is contemplated that the bus will be utilized at its maximum level with approximately 25 percent of the business by Collins and 75 percent by performing for other operators.
4. His bus has been inspected and found safe by the California Highway Patrol three times.
5. Collins' assets were \$107,000 and liabilities were \$38,500 as of the date the application was filed, and that since that time, Collins' net worth has increased slightly.
6. Maintenance work on the bus will be performed by a competent organization and back-up service will be provided by the closest bus in the area on a cash-in-advance basis.

Findings of Fact

1. Collins has the ability, experience, and financial resources to perform the proposed service.
2. Public convenience and necessity require that the service proposed by Collins be established.
3. Collins should be authorized to pick up passengers within the city of Los Angeles and destined to points within a 125-mile radius of the city of Los Angeles.
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

The Commission concludes that the proposed authority should be issued, subject to certain restrictions, as provided 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, John C. Collins, dba Collins Charter, authorizing him to operate as a Class B charter-party carrier of passengers, as defined in Section 5383 of the Public Utilities Code.

2. Such authorization is limited to the pickup of passengers in that portion of the city of Los Angeles that is within a radius of 40 air miles from the applicant's home terminal in the city of Los Angeles and destined to points within a 125-air mile radius from the city of Los Angeles.

3. 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 a cancellation of the operating authority.

Applicant shall 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 31 1979, at San Francisco, California.

John E. Coyne
President

Reginald L. Stinson

Charles D. Howell

Clare J. Fredrick

James D. [unclear]
Commissioners