

T/ARR

Decision No. 91526 JUN 17 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application) of MEXCURSIONS, INC., a corpo-) ration, for a certificate of) public convenience and neces-) sity to operate passenger stage) tour service between points in) the County of San Diego, on the) one hand, and various points in) Orange County on the other hand,) and between the City of Anaheim,) on the other hand, and various) points in San Diego County, on) the other hand.

Application No. 57763
(Filed December 21, 1977;
amended January 12, 1978,
May 11, 1978, and
June 27, 1978)

ORDER RESCINDING DECISION NO. 91603

Commission Decision No. 91603, effective May 15, 1980, revoked the Certificate of Public Convenience and Necessity of Mexcursions, Inc., which was issued in Commission Decision No. 90155, effective May 11, 1979, authorizing passenger stage service in and between various points in San Diego and Orange Counties.

Decision No. 91603 was issued April 15, 1980. On May 5, 1980, the Commission received notice from Ralph O. Boldt stating he was the duly appointed trustee in United States Bankruptcy Court proceedings for Mexcursions, Inc. The trustee informs the Commission that, at the time Decision No. 91603 was issued, Mexcursions, Inc. was in receivership and that a stay

had been issued precluding any action against the assets of the estate. The trustee further stated he had received an offer from Fun Bus Systems to purchase all authorities granted to Mexcursions in Decision No. 90155.

The staff has recommended that, if the Order of Revocation is rescinded, Mexcursions' authorities should be placed in indefinite suspension, since this carrier does not have the necessary insurance on file as required by General Order No. 101-C.

It appears and the Commission finds that these matters constitute good cause for the rescission of Decision No. 91603 and that such rescission would not be adverse to the public interest.

The trustee in bankruptcy is advised that he should apply to the Commission for an order authorizing any sale of the certificate, as required under Public Utilities Code, Section 851. The rules governing such applications are contained in Article 9 of the Commission's Rules of Practice and Procedure.

It appears and the Commission finds that these matters also constitute good cause for suspension of the authorities granted in Decision No. 91603. The Commission, therefore, concludes that those authorities should be suspended, until such time as all applicable requirements have been fulfilled.

O R D E R

IT IS ORDERED that:

1. Decision No. 91603 is hereby rescinded upon the effective date of this decision.
2. The authorities granted to Mexcursions, Inc. in Decision No. 90155 are placed in indefinite suspension.

A. 57763 T/ARR

The Executive Director shall mail a certified copy of this Order to:

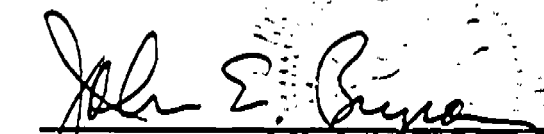
VIRANT & DeBRAUWERE
John E. DeBrauwere
4765 Eagle Rock Blvd.,
Los Angeles, California 90041

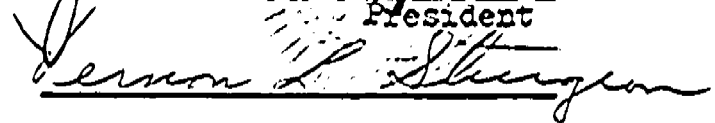
Ms. Louise Malugen, Esq.
3535 4th Avenue
San Diego, California 92103

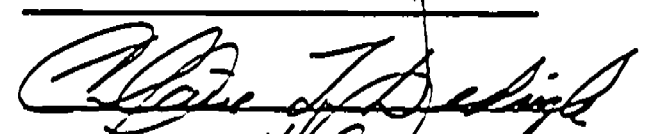
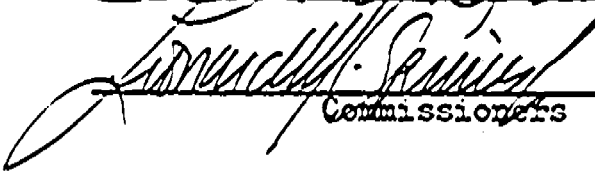
Mr. Ralph O. Boldt
13349 Edina Way
Poway, California 92064

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

Dated JUN 17 1980, at San Francisco, California.



President


Commissioners

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