

Decision No. 92008 JUL 2 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
of Jason Miller Greenlee (Fire and
Land Management Enterprises) for a
Class "B" Certificate to operate as
a Charter-party Carrier of
Passengers, Boulder Creek.)

Application No. 59399
(Filed January 24, 1980)

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Interim O P I N I O N

This is an application of Jason Miller Greenlee, an individual, doing business as Fire and Land Management Enterprises, for a Class "B" Certificate to operate as a Charter-party Carrier of Passengers.

Applicant's home terminal is located at 110 Pleasant Way, Boulder Creek, California 95006.

Notice of filing of the application appeared in the Commission's Daily Calendar dated January 25, 1980.

A description of the equipment to be used is one 21-passenger 1960 International bus which is owned by the applicant.

Initially, Peerless Stages, Inc. and Coast Counties Charter both holders of Class "A" Certificates protested. By letter to the Commission dated January 25, 1980, Peerless Stages, Inc. withdrew its objection to granting of the requested certificate providing it is restricted to 21 passengers in fire-fighting operations.

Coast Counties Charter's letter to the Commission dated February 15, 1980, protested the application because of an alleged impact on its intrastate charter-party operations; therefore, operation is being restricted to transportation of Fire-fighting crews only.

Applicant mailed an answer to Coast Counties' protest explaining in detail the restrictions of the proposed operations, which was mailed to Coast Counties on February 25, 1980 requesting protestant to advise further if applicant's answer was not satisfactory and he wished to exercise his former protest. No further protest has been received.

Applicant is involved in fire prevention work and in controlled burning. Applicant is paid by the U.S. Forest Service to transport a fire-fighting crew (usually three to four fires for each summer season). Applicant is not engaged in this specialized transportation for profit but as a public service.

The Commission's Transportation Division staff has reviewed the application and recommends that, it be granted ex parte in the absence of further protests and because of public interest and safety.

Applicant's financial statement as of January 3, 1980 shows total assets of \$53,000 and total liabilities of \$9,100.

F I N D I N G S

1. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed service.
2. Applicant's terminal is located at 110 Pleasant Way, Boulder Creek, CA 95006.
3. Applicant's proposed service shall be restricted as follows:
Service shall be restricted to the transportation of a fire-fighting crew in motor vehicle having a capacity not exceeding 21 passengers, including the driver.
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.
8. Inasmuch as the fire season is beginning at this time the effective date should be the date decision is signed.

C O N C L U S I O N

The Commission concludes that the proposed authority should be issued, subject to certain restrictions, as provided for in the following order.

Interim 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 Jason Miller Greenlee, an individual, doing business as Fire and Land Management Enterprises, authorizing him 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 110 Pleasant Way, Boulder Creek, California 95006, subject to the following restriction:

Service shall be restricted to the transportation of a fire-fighting crew in motor vehicle having a capacity not exceeding 21 passengers, including the driver.

2. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations. 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 the date hereof.

Dated JUL 2 1980, at San Francisco, California.

John E. Super
President

Herbert L. Sturgeon

Richard W. Hival

Clare J. DeWitt

James M. Smith
Commissioners