

ORIGINAL

Decision No. 92031 JUL 15 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Bob L. Hunden, doing business)
as Wheels Express, for a Class "B")
certificate to operate as a charter-)
party carrier of passengers,)
Anaheim. (File No. B-14))

Application No. 59397
(Filed January 24, 1980)

O P I N I O N

Bob L. Hunden (dba Wheels Express), applicant, has requested authority to operate from a terminal in Fullerton, Orange County as a Class B charter-party carrier of passengers. Letters of protest were received from Greyhound Lines, Inc.; Embree Buses, Inc.; Roberts Holiday Lines; Airport Service, Incorporated; Orange Coast Sightseeing Company; and The Town Tour Funbus Company, Inc.

Each of the protestants subsequently advised that if the above-described application were amended to limit the applicant to the operation of no more than three buses the protests would be withdrawn. The application was thereupon informally amended to seek such limited authority.

Applicant proposes to operate a 1966 GMC bus having a 41-passenger capacity. Since October 1, 1975 he has been engaged as a sole proprietor in the transportation of passengers for hire. Since August 1978 he has provided such service in interstate commerce pursuant to a certificate of public convenience and necessity issued by Interstate Commerce Commission in Docket No. MC-143444.

Applicant's financial statement shows current assets of \$2,800 and fixed assets, including the bus, at \$15,615. He has no current or deferred liabilities.

Findings of Fact

1. Applicant has the ability, experience, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require that the service proposed by applicant be established with a three-bus limitation.
3. Applicant should be authorized to pick up passengers within a radius of 40 air miles from the home terminal in Fullerton.
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.

The Commission concludes that the proposed authority should be issued 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, is granted to Bob L. Hunden (dba Wheels Express), applicant, 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 air miles from applicant's home terminal at 635 South Raymond Avenue, Fullerton, Orange County.
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 herein.

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.

3. Applicant shall not operate more than three buses in California intrastate service.

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

Dated JUL 15 1980, at San Francisco, California.

John E. Boyer
President
Vernon L. Schriener
Richard J. Howell
Clair J. Peddie
Samuel W. Jones
Commissioners