

T/CBG

Decision No. 92164 AUG 19 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of W. J. Federici, et al., for a Class "B" certificate to operate as a Charter-party Carrier of Passengers, ~~San Bruno~~
(Filed No. B-5)

Application No. 58926
(Filed June 11, 1979)

REVOCATION OF CHARTER PARTY CARRIER OF PASSENGERS AUTHORITY

By Decision 91439 of March 18, 1980 in Application 58926, William John Federici and George Pompeii, a co-partnership, doing business as Bay City Bus Lines (Bay Cities), were authorized a certificate to operate as a Class B charter-party carrier of passengers. Among other things, the decision required the applicants to comply with and observe the safety rules administered by the California Highway Patrol (CHP), and stated that failure to do so may result in cancellation of the operating authority granted by the decision.

The CHP inspected the applicants' equipment and maintenance procedures on November 26, 1979, March 12, 1980 and April 9, 1980. The CHP concluded as a result of the inspections that a serious problem existed with Bay Cities equipment, that Bay Cities was either incapable or had no desire to maintain the buses in a safe condition and recommended the operating authority be revoked.

On May 16, 1980 the Transportation Division notified ~~Bay~~ Bay Cities to cease and desist all bus operations and informed

Bay Cities of the CHP findings and recommendation. A discussion was held with Mr. Federici of Bay Cities on May 19, 1980 and on his assurance that the bus deficiencies were corrected, the CHP was asked to make another inspection.

The CHP conducted a reinspection and found no corrective changes and again recommended the operating authority be revoked.

On June 14, 1980 the Bay Cities bus and driver, while in revenue service, were issued citations by the CHP. The bus was cited for several equipment violations and the driver was cited for violating the basic speed law and operating without the proper Class 1 or 2 drivers license. The driver was operating with a suspended Class 3 license.

F I N D I N G S

1. Bay Cities was authorized to operate as a Class B charter-party carrier of passengers by Decision 91439.
2. Decision 91439 ordered Bay Cities to comply with and observe the safety rules administered by the CHP.
3. Bay Cities has not complied with nor observed the safety rules administered by the CHP.
4. The CHP recommends that Bay Cities operating authority be revoked.
5. Bay Cities was notified of the CHP findings and recommendations.

C O N C L U S I O N S

1. The authority granted by Decision 91439 should be revoked.
2. For the protection of the public, the revocation should be made effective as soon as possible.

O R D E R

IT IS ORDERED that:

The Certificate of Public Convenience and Necessity granted by Decision 91439 of March 18, 1980 to William John Federici and George Pompeii, a co-partnership, doing business as Bay Cities Bus Lines, authorizing them to operate as a Class B charter-party carrier of passengers, as defined in Section 5383 of the Public Utilities Code, ^{is} ~~be~~ revoked.

The effective date of this order is the date hereof.

Dated AUG 19 1980, at San Francisco, California.

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

John E. Boyer
President
James L. Sturgeon

Clara J. DeLuca
Donald W. Smith
Commissioners