

ORIGINAL

Decision No. 92383 NOV. 4 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Star Bar Corporation, dba Empire Charter Bus, for Class "B" certificate to operate as a charter-party carrier of passengers, Riverside. (File No. B-10)

Application No. 59095 (Filed August 27, 1979)

Oliver Bartholomew, for Star Bar Corporation, applicant.
William Austin, for the Commission staff.

O P I N I O N

Star Bar Corporation (Star Bar), doing business as Empire Charter Bus, seeks authority to operate as a charter-party carrier of passengers under a Class B certificate pursuant to Sections 5371, 5371.2, and 5373.1 of the Public Utilities Code. The application was protested by Greyhound Lines, Inc. (Greyhound).

A prehearing conference was held in Los Angeles on September 16, 1980.

Star Bar amended its application at the prehearing conference to: accept a restriction requested by Greyhound in return for the withdrawal of the protest; change the official address of Star Bar to Post Office Box 20123, 15561 Saddleback Street, Riverside, California 92516, telephone number (714) 780-2170; and add Ronald Cooper as a director of the corporation.

Exhibit 1, which is a pro forma statement of operations for one year broken down by months, was presented and accepted as an amendment to the application. This statement shows a gross profit, before taxes, of \$82,336 for the year. The financial statement attached to the application shows a net worth of \$233,184.

Findings of Fact

1. Star Bar has the ability, experience, equipment, and financial resources to perform the proposed service.

2. Public convenience and necessity require that the service proposed by Star Bar be established.

3. Greyhound serves the sought territory. Greyhound withdrew its protest when Star Bar accepted a reduction in the size of its service area from a 40-mile radius to a 15-air mile radius from its home terminal.

4. Star Bar should be authorized to pick up passengers within a radius of 15 air miles from its home terminal at 15561 Saddleback Street, Riverside, California 92516.

5. 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 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 fifteen air miles from applicant's home terminal at 15561 Saddleback Street, Riverside, California 92516, is authorized to be issued to applicant, Star Bar Corporation, doing business as Empire Charter Bus.

2. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe, among other things, 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. Failure to do so may result in the cancellation of the operating authority granted by this decision.

3. When the required California Highway Patrol clearances are received by the Commission's Passenger Operations Branch and the evidences of adequate protection against liability imposed by law are filed in compliance with General Order No. 115-Series, the annual renewable certificate on Form PE-695 will be issued by the Passenger Operations Branch under the authorization of Resolution PE-303, approved July 29, 1975.

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

Dated NOV 4 1980, at San Francisco, California.

John E. Burns
President

James L. Sturgeon

Harold D. Kneale

Clayton T. Pedraza

Donald J. ...
Commissioners