

Decision No. 92460 DEC 2 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
James William & Merrilee Reid,)
individuals doing business as Porta)
Party for a Class "B" Certificate to)
operate as a Charter-party Carrier)
of Passengers, Los Angeles (GO 98-A).)

Application No. 59760
(Filed June 24, 1980)

O P I N I O N

Applicants, James William and Merrilee Reid, individuals doing business as Porta Party, request authority to operate as a Class B charter-party carrier of passengers from their headquarters in Los Angeles, California. Applicants propose to provide such service with a 1966 FLXIBLE motor coach with a seating capacity of 26 passengers, excluding the driver.

Notice of filing of the application appeared in the Commission's Daily Calendar dated June 25, 1980. Initially, Greyhound Lines Inc. (Greyhound), holder of a Class A certificate protested the application. By letter to the Commission dated September 17, 1980 applicants' counsel informed the Commission that an agreement had been reached with Greyhound whereby Greyhound agreed to withdraw its opposition to the granting of the requested authority herein in return for applicants' acceptance of the following two restrictions being incorporated into the certificate:

1. For its proposed charter service applicants are limited to the use of "executive or luxury type" motor coaches only which have as an essential aspect thereof: (a) a hostess and/or bartender, (b) a complete stereo system, (c) a television set, (d) a microwave oven, (e) an ice maker, (f) a refrigerator, (g) a blender, and (h) backgammon boards and other games.
2. Applicant shall not provide a regular route service or any scheduled runs.

Greyhound, in a letter to applicants dated September 15, 1980, agreed to withdraw its protest if the above restrictions were incorporated into applicants' proposal and authorized applicants to inform the Commission of Greyhound's representation. Applicants have informed Greyhound and the Commission in writing of their acceptance of the aforementioned restrictions.

Applicants currently hold a charter-party carrier of passengers permit from the Commission under file TCP 1212P and have one and one-half years of experience in the transportation of passengers by motor vehicle over the public highways. Applicants' assets were \$265,760 and liabilities were \$88,570 as of the date the application was filed.

Applicants' bank is Security Pacific National Bank and their insurance broker is Western Insurance Associates, both located in Los Angeles, California.

Findings of Fact

1. Applicants have the ability, experience, and financial resources to perform the proposed service.
2. Applicants' proposed service contemplates the use of uniquely equipped "executive or luxury type" motor coaches

which will have as an essential aspect thereof: (a) a hostess and/or bartender, (b) a complete stereo system, (c) a television set, (d) a microwave oven, (e) an ice maker, (f) a refrigerator, (g) a blender, and (h) backgammon boards and other games. ✓

3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. A public hearing is not necessary.
2. Public convenience and necessity require that the requested authority should be issued, subject to the restrictions provided for in the following order.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity to operate as 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 forty air miles from applicants' home terminal at 7347 West 87th Place, Los Angeles, California 90045, is authorized to be issued to applicants, James William and Merrilee Reid, individuals, doing business as Porta Party.

2. In providing service pursuant to the certificate when issued, 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 insurance requirements of the Commission's General Order No. 115-Series. Failure to do so may result in cancellation of the operating authority.

3. When the required California Highway Patrol clearances are received by the Commission's Passenger Operations Branch and the evidence 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.

4. Applicants are limited to the use of "executive or luxury type" motor coaches only which have as an essential aspect thereof: a hostess and/or a bartender, a complete stereo system, a television set, a microwave oven, a refrigerator, an ice maker, a blender, and backgammon boards and other games.

5. Applicants shall not provide either regular route service or scheduled runs.

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

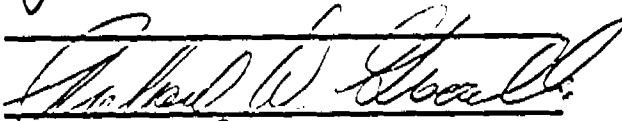
Dated DEC 2 - 1980, at San Francisco, California.

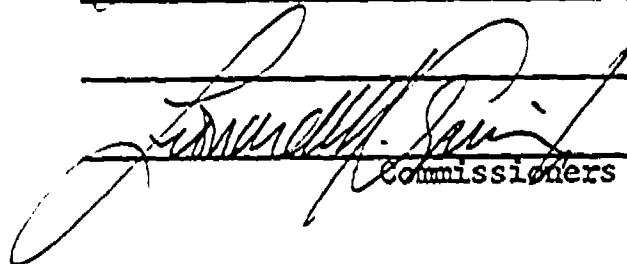
Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.



President





Commissioners