

Decision No. 92891 APR 7 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of Pacific Bus Leasing, Incorporated, for a Class "B" Certificate to operate as a Charter-party Carrier of Passengers, Costa Mesa.

Application No. 60067
(Filed November 7, 1980)

O P I N I O N

Applicant, Pacific Bus Leasing, Inc., a California corporation, requests authority to operate as a Class B charter-party carrier of passengers within a radius of 40 air miles from its home terminal at 711 West 17th Street, Costa Mesa, California.

Greyhound Lines, Inc. filed a protest and request for hearing of this application in conformity with Article 2.5 of our rules of practice (Title 20, Cal. Admin. Code). In late December 1980, applicant and Greyhound agreed upon a settlement. Pursuant to the settlement agreement, applicant has requested by letter dated December 29, 1980 that the authority sought by this application be modified to reflect a departure from the 40-mile radius usually employed to a 15-mile radius from Costa Mesa and that it be "allowed airport pickups and transfers from or to the Los Angeles Airport". By letter dated December 31, 1980 Greyhound withdraws its protest concomitantly with authority being granted on the agreed upon basis. If applicant ever wishes to extend its pickup radius it may file an application to modify this decision.

Applicant proposes to operate two 1980 American Eagle 46-passenger buses. Applicant's president owns and operates a tour agency and was a Greyhound driver for seven years. The buses have been acquired under a lease/purchase agreement. Applicant's balance sheet^{1/} as of December 30, 1980 shows stockholder's equity of \$133,041 including \$31,391 of retained earnings.

Findings of Fact

1. Applicant has the ability, experience, equipment, and financial resources to perform the service to be authorized in the order which follows.
2. Public convenience and necessity require that service.
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.
4. The application appeared on the Commission's Daily Calendar; one protest was received and it is being withdrawn.

Conclusions of Law

1. Applicant should be authorized to operate as a Class B charter-party carrier from or within a service area encompassing a radius of 15 air miles from its home terminal at 711 West 17th Street, Costa Mesa, California, and from or to airports within a 40-mile radius of the home terminal.
2. A public hearing is not required.

1/ Received February 9, 1981 with applicant's undated letter of transmittal.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity authorized to be issued to applicant, Pacific Bus Leasing, Inc., to operate as a Class B charter-party carrier of passengers, as defined in Section 5383 of the Public Utilities Code, from or within a service area encompassing a radius of 15 air miles from applicant's home terminal at 711 West 17th Street, Costa Mesa, California, and from or to airports within a radius of 40 air miles of applicant's above-specified home terminal.

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 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.

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,

A.60067 ALJ/ems

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 APR 7 1981, at San Francisco, California.

John E. Bryson
President
Richard J. ...
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Commissioners