

ORIGINAL

MAY 5 1981

Decision No. 93012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of HUGH TOBIASON EBMEYER, doing)
business as Ebmeyer Charter, for a)
Class "B" certificate to operate)
as a charter party carrier of)
passengers, Apple Valley.)

Application No. 60190
(Filed January 15, 1981)

O P I N I O N

Hugh Tobiason Ebmeyer, a sole proprietor doing business as Ebmeyer Charter, in Application No. 60190 has requested a Class B certificate to operate as a charter party carrier of passengers within a radius of forty air miles from his home terminal at 19522 Shasta Road, Apple Valley, CA 92307.

Ebmeyer's application shows that he is the owner of a 1965 MCI 41-passenger bus. Applicant has acquired experience in the transportation of passengers by motor vehicle over the public highways as a driver for Butterfield Stages and Robinson Charter Lines. His application shows that he had a net worth of approximately \$558,000 as of the date of the application.

Notice of filing of the application appeared in the Commission's Daily Calendar dated January 19, 1981. Service notification was mailed to transportation companies in the vicinity. No protests have been received.

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.
3. Applicant should be authorized to pick up passengers within a radius of forty air miles from his home terminal at 19522 Shasta Road, Apple Valley, CA 92307.
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.
5. A public hearing is not required.

Conclusion of Law

The requested authority should be issued.

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 forty air miles from applicant's home terminal at 19522 Shasta Road, Apple Valley, CA 92307, is authorized to be issued to applicant, Hugh Tobiason Ebmeyer, doing business as Ebmeyer Charter.

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 cancellation of the operating authority.

3. When the required California Highway Patrol clearances are received by the Commission's Passenger Operations Branch and evidence of adequate protection against liability imposed by law is filed in compliance with General Order No. 115-Series, the annual renewable certificate of 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 MAY 5 1981, at San Francisco, California.

John E. Boyer
President
Richard A. Hoyle
Thomas W. Smith
Victor Cabro
Priscilla C. Green
Commissioners