

Decision 93090 MAY 19 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of Bay Area Mini Bus, Incorporated,)
for a Class B charter bus)
certificate from home terminal in)
San Francisco, California.)

Application 60276
(Filed February 18, 1981)

O P I N I O N

Bay Area Mini Bus, Incorporated, doing business as BAMBIA, requests a Class B certificate to operate as a charter-party carrier of passengers from a service area encompassing a radius of 40 air miles from San Francisco.

Applicant is presently conducting charter operations for the transportation of 14 passengers or less between various points in the State (File TCP 1164-P).

Applicant proposes to operate a 1981, 22 passenger Dodge van/minibus. As of January 12, 1981, applicant indicated a net worth in the amount of \$12,850.

Notice of the filing of the application appeared in the Commission's Daily Calendar of February 25, 1981, and copies of the application were served upon Greyhound Lines, Inc., Eastshore Lines, Inc., Franciscan Lines, Inc., Falcon Charter Service, Inc., and Lorrie's Travel and Tours, Inc. The only protest to the application was filed by Greyhound Lines, Inc. on March 19, 1981, but was subsequently withdrawn when applicant informed the Commission by letter that it would accept a restriction limiting service to the use of van- or minibus-type of vehicles having a capacity of 22 passengers or less. We will grant the requested certificate with that restriction. However, if applicant ever desires to lift the restriction it may file an application requesting modification of this decision.

Findings of Fact

1. Applicant is presently engaged in conducting operations as a charter-party carrier between various points in the State.
2. Applicant has the necessary equipment, experience, ability, fitness, and financial ability to conduct the proposed service.
3. Applicant's business address is 84 Prospect Street, San Francisco, California, 94110.
4. Public convenience and necessity require that applicant be granted a certificate to operate as a Class B charter-party carrier of passengers using buses with passenger seating capacity of 22 or less.
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.

Conclusion of Law

The application should be granted.

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 40 air miles from applicant's home terminal at 84 Prospect Street, San Francisco, California, 94110, is authorized to be issued to Bay Area Mini Bus, Incorporated, doing business as BAMBI, subject to the restriction that applicant shall use van- or mini-type buses with capacities of 22 passengers or less.
2. When the required California Highway Patrol clearances are received by the Passenger Operations Branch of the Commission and the evidence of adequate protection against liability imposed by law are filed in compliance with General Order 115-B the annual renewable certificate on Form PE-695 will be issued by the Passenger Operations Branch of the Commission under the authorization of Resolution PE-303, approved July 29, 1975.

3. 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 98-Series, and the insurance requirements of the Commission's General Order 115-Series. Failure to do so may result in cancellation of the operating authority granted by this decision.

This order becomes effective 30 days from today.

Dated MAY 19 1981 , at San Francisco, California.

John E. Guyon President
Richard D. Marshall
Donald J. Smith
Robert C. Calver
Paul M. C. Myers Commissioners