

ORIGINAL

Decision 93442 AUG 18 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
Herbert Guillory for a Class "B")
charter bus certificate from home)
terminal in Delano, California.)

Application 60368
(Filed March 18, 1981;
amended June 1, 1981)

O P I N I O N

Herbert Guillory (applicant) originally sought a certificate to operate as a Class B charter-party carrier of passengers from a service area with a radius of 40 miles from his home terminal in Delano, California, operating one bus.

Applicant provided notice to Greyhound Lines, Inc. (Greyhound) and to Orange Belt Stages. Greyhound filed a written protest which was, however, withdrawn when applicant amended the application to provide that his service area would not include territory within the City of Bakersfield.

No public hearing appears necessary.

Findings of Fact

1. Applicant has experience in the tour business, having worked as driver for a period of four years for M&B Travel Tours of Carson, California.
2. Applicant's balance sheet as of March 15, 1981 shows total assets of \$160,000 and liabilities (excluding owner's interest) of \$9,000.
3. Applicant owns one 1959 GMC 39-passenger bus.
4. Applicant possesses satisfactory fitness and financial responsibility to conduct the proposed transportation service.
5. Public convenience and necessity require the service proposed by applicant.

6. Applicant should be authorized to pick up passengers within a radius of 40 air miles from his home terminal at 130 West 19th Place, Delano excluding all points in the City of Bakersfield.

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

8. Existing carriers offering charter service in applicant's proposed territory have been notified and have waived hearing.

Conclusion of Law

Public convenience and necessity have been demonstrated and a certificate should be granted.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity, to be renewed each year, is granted to Herbert Guillory authorizing him to operate as a Class B charter-party carrier of passengers, as defined in PU Code § 5383, from a service area with a radius of 40 air miles from applicant's home terminal at 130 West 19th Place, Delano.

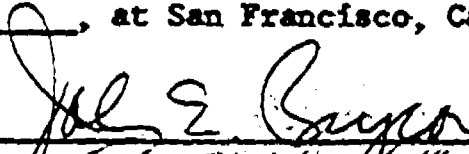
2. When applicant files California Highway Patrol clearances and evidence of liability protection in compliance with General Order Series 115, the Passenger Operations Branch will issue the annual renewable certificate on Form PE-695 as authorized by Resolution PE-303, adopted July 29, 1975.

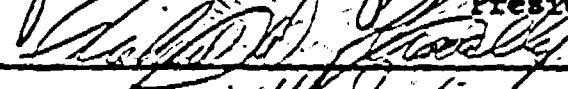
A.60368 ALJ/jn


3. In providing service under the certificate, applicant shall comply with General Orders Series 98 and 115, and the California Highway Patrol safety rules.


This order becomes effective 30 days from today.


Dated AUG 18 1981, at San Francisco, California.



President







Commissioners