BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2005-121-T – ORDER NO. 2005-235

MAY 9, 2005

IN RE: Application of Ben Avery d/b/a Avery Bus Lines, Post Office Box 761, McCormick, SC 29835 (District 3) for a Class C Charter Bus Certificate.	))))	ORDER GRANTING CHARTER BUS CERTIFICATE

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of Ben Avery d/b/a Avery Bus Lines (the Applicant) for a Class C Charter Bus Certificate. The Applicant made its filing pursuant to 26 S.C. Code Ann. Regs. 103-133(5) (Supp. 2004). This Regulation requires that motor carriers applying for a Charter Bus Certificate must provide proof of insurance and an acceptable safety rating. The Applicant has notified the Commission of its intent to have its insurer file proof of insurance and of its intent to file an acceptable safety rating.

Upon consideration of the Application, the representations contained therein and the documentary evidence attached thereto, the Commission finds that a Class C Charter Bus Certificate should be granted to Ben Avery d/b/a Avery Bus Lines conditional upon the furnishing of proof of insurance by the Applicant's insurer and on the furnishing of an acceptable safety rating.

IT IS THEREFORE ORDERED:

1. That the Application of Ben Avery d/b/a Avery Bus Lines for a Class C Charter Bus Certificate be, and hereby is, approved, subject to the conditions stated below.

2. That the Applicant cause to be filed with the Commission and the Office of Regulatory Staff (ORS) proof of appropriate insurance and an acceptable safety rating within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission, pursuant to Commission Regulation 103-133(5).

3. That upon compliance with the Regulation, a Class C Charter Bus Certificate shall be issued to the Applicant.

4. Failure of the Applicant either (1) to complete the certification process by complying with the Commission requirements of causing to be filed with the Commission and ORS proof of appropriate insurance and an acceptable safety rating within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, shall result in the authorization approved in the Order being revoked.

5. That prior to compliance with the requirements regarding the filing of certain information with the Commission and receipt of a Certificate, the motor carrier services authorized by this Order may not be provided.

6. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)