

Licence Application Decision

ICB –Simplified Process

Application #	4602-19	Applicant	Gertzen Ventures Ltd.
Trade Name	Adventure Charter & Rentals		
Principal	Christine Carol GERTZEN Janna Rhandall GERTZEN		
Address	4705B Collier Place, Williams Lake, BC V2G 5E9		
Current Licence	Passenger Transportation Licence # 71747: <ul style="list-style-type: none">• General Authorization		
Application Summary	New Special Authorization—ICB ICB Simplified Application Process New Special Authorization to operate Inter-city Buses on 2 routes: A: Prince George – Surrey (2 weekly trips each way) B: Williams Lake – Kamloops (2 weekly trips each way)		
Publication Date	March 6, 2019		
Board Decision	The special authorization is approved. Terms and conditions of licence are approved as set out in this decision.		
Decision Date	March 26, 2019		
Panel Chair	William Bell	Panel Member	Spencer Mikituk

I. Introduction

Gertzen Ventures Ltd., dba Adventure Charter and Rentals (ACR) based in Williams Lake, B.C. is applying under the Board's simplified Inter-City Bus (ICB) process to operate a bus service with a minimum route frequency of two trips per week in each direction on the two ICB routes described below.

Route A: Prince George-Surrey

The route serves a minimum of 13 communities from Prince George to Surrey along corridors that include the Fraser Canyon section of Highway 1. The proposed route is shown below in the map in Figure 1. The route points would include:

City of Surrey	Village of Clinton
City of Chilliwack	70 Mile House
City of Abbotsford	District of 100 Mile House
District of Hope	City of Williams Lake
Boston Bar	City of Quesnel
Village of Lytton	City of Prince George
Village of Cache Creek	

Route B: Williams Lake-Kamloops

The route serves a minimum of 6 communities on Highway 97 from Williams Lake to Kamloops. The proposed route is shown below in the map in Figure 2. The route points would include:

City of Kamloops	70 Mile House
Village of Cache Creek	District of 100 Mile House
Village of Clinton	City of Williams Lake

Figure 1: Route A (Surrey – Prince George)¹

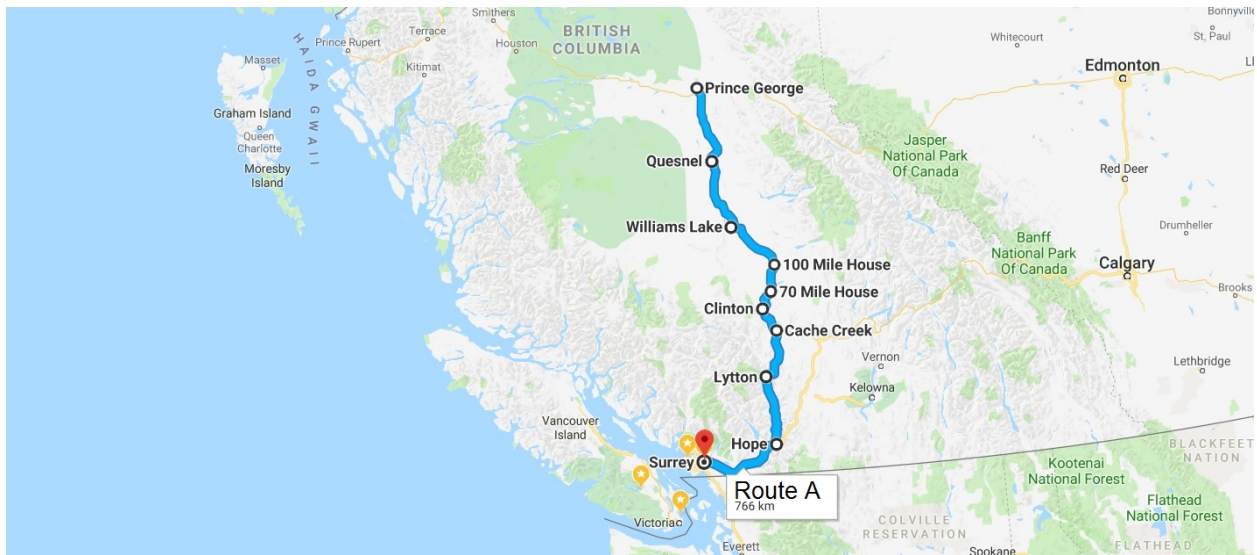
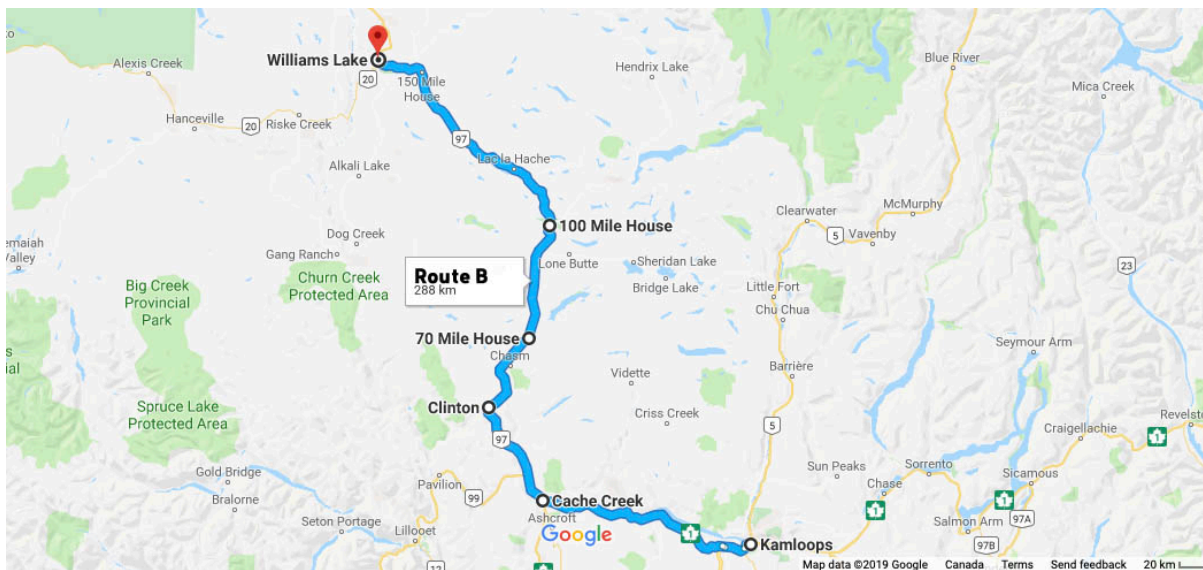


Figure 2: Route B (Kamloops – Williams Lake)



The service would operate year-round on a reservation basis only online, by phone or by an app on a passenger’s smartphone or tablet. The applicant also seeks the flexibility to pick up passengers along the routes at locations not listed as route points.

The applicant notes that current ICB services are established for passengers travelling north into Kamloops from the southern region B.C. and, therefore, have not incorporated

¹ Route A also includes Chilliwack, Abbotsford and Boston Bar which are not labelled on the map.

that route portion into its planning. The Route B focus will be on northbound travel out of Kamloops and southbound travel into Kamloops.

ACR states that it will use Williams Lake as a hub for service out of Prince George. As a result, operational costs will be reduced by sharing equipment and drivers for half the trip (refer to figures 1 & 2).

II. Jurisdiction and Proceedings

This application is made under the Passenger Transportation Act (the “PT Act”). The PT Act regulates the licensing and operation of commercial passenger transportation vehicles in BC.

Under the PT Act, the Passenger Transportation Board (the “Board”) makes decisions on applications to operate inter-city buses. The Board has the authority to consider and approve applications for new licences as well as applications from existing licensees to change routes and decrease service levels.

In February 2018, Greyhound Transportation Canada ULC (Greyhound Canada) received approval on its application 256-17 to the Board to withdraw service on the Fraser Canyon portion of Highway 1.

In July 2018, Greyhound Canada issued a news release stating that as of October 31, 2018, it will stop providing bus service in Western Canada. Greyhound was the sole operator on many corridors of BC and its departure put many routes and communities at risk of losing inter-city bus service and access to safe and essential transportation for work, education, health and family-related purposes.

To encourage other operators to fill the gap left by Greyhound’s exit, the Board is “fast-tracking” applications and using a simplified application process. This package is available for operators applying to operate inter-city buses (ICBs) on corridors in BC that do not have commercial ICB service. It is available regardless of whether the absence of service is the result of Greyhound Canada’s withdrawal on October 31, 2018.

The PT Act requires the Board to consider public need, applicant fitness and sound economic conditions in the passenger transportation industry before deciding whether to

approve an application. The Board may approve an application in whole or in part, or it may refuse an application. For applications proceeding through the simplified ICB process, much of the Board's focus is on applicant fitness.

The PT Act also allows the Board to, among other things:

- accept evidence and information it considers relevant, necessary, and appropriate, whether or not the information would be admissible in a court of law [Section 15]
- conduct written, electronic or oral hearings as the Board, in its sole discretion, considers appropriate [Section 17]
- require further information from an applicant [Section 27(1)(b)]
- investigate any matter related to an application [Section 27(3)(b)]

Section 26(2) of the PT Act requires the Board to publish the fact and nature of applications, and section 27(3) requires the Board to consider applications and any written submissions it receives as a result of publication. Section 27(5) states that people who make submissions are not entitled to disclosure of further information, unless the Board orders otherwise.

We are conducting this application by way of a written hearing.

III. Background

The applicant Gertzen Ventures Ltd is owned by Janna Gertzen and Christine Gertzen. The company was incorporated on June 19, 2008 has been owned and operated by the principals since 2011. Adventure Charters and Rentals (ACR) is a division of the company. It currently holds passenger transportation licence 71747 with a General Authorization. The company's website indicates that it is a bus and charter that provides a range of services for a variety of customers, such as daily scheduled employee transportation to remote work sites, contracted tourism transportation charters, team and educational travel, and event and party transportation.

The applicant submitted the requisite material and forms.

IV. Application Rationale, Submissions and Responses

(a) Rationale for Application

The following text was provided by the Applicant:

We want to provide safe travel within the Interior of BC that easily links to transportation infrastructure already in place. For example, we want to schedule a route that is easily connectable in Prince George to BC Bus North and the Sky Train in Surrey for the South, allowing passengers to easily travel beyond our own ICB route to provide a service that is as seamless as possible.

(b) Submissions & Response

The Board did not receive any submissions on this application.

V. Board Mandate

Section 28(1) of the *Passenger Transportation Act* says that the Board may approve the application, if the Board considers that:

- (a) there is a public need for the service the applicant proposes to provide;
- (b) the applicant is a fit and proper person to provide the service and is capable of providing it; and
- (c) the application, if granted, would promote sound economic conditions in the passenger transportation business in British Columbia.

VI. Reasons for the Board's Decision

Applicant Fitness

As we noted earlier, applicant fitness is the focus of streamlined applications. The Board reviews the conduct of an applicant and the structure of its operations. Does the applicant seem to understand passenger transportation laws and policies? Is the business set up to

follow these laws? Is there something in the applicant's background that shows it disregards the law?

Applicants must show that they have the resources and skills to manage the service that they want to operate. The Board gets much of this information from business plans and financial statements.

ACR is part of an incorporated company as noted above. The applicant's National Safety Code certificate is in good standing. The disclosure form of Unlawful Activity and Bankruptcy form indicates no negative concerns about the principals. The applicant signed the Liquor Control and Licencing Act declaration stating that it will operate its vehicles in accordance with that Act.

The applicant's fleet includes 7 buses ranging in capacity from 12 to 36 passengers. One of the buses is a coach that seats 36 passengers that the applicant describes as an ideal highway bus for the Prince George-Surrey route. A smaller GMC 20 passenger bus would be used for the Kamloops-William lake route. The applicant will also have a designated 29 passenger "backup" vehicle. It points out that if the routes prove to be viable, any future bus purchases would be wheelchair accessible.

The company's management organization will consist of the following:

Janna Gertzen, Owner, who has 20 years experience in business, will manage business development, software and technology, marketing and administrative functions.

Christine Gertzen, Owner who will oversee the Standard Operations and Procedures Program and all Human Resource functions. She will also be responsible for inspecting the vehicles to ensure customer experience targets are being met such as cleanliness, comfort and interior safety.

Randall Gertzen, Operating Manager who has over 40 years' experience as a professional driver and will undertake driver recruitment, training, scheduling, compliance with company policy, fleet maintenance, mechanical schedules, emergency response and customer enquiries. He has been operating Adventure Charters and Rentals since 2011.

The applicant points out that it provided on-call emergency support to Greyhound for the proposed routes in this application. As a result, it feels this experience has enabled it to

have a better understanding of the routes, the requirements and the operational challenges.

The applicant notes that driver's must hold an appropriate class of driver's licence without restrictions and have a driver's abstract that is free of major and multiple safety and hours of service violations. It further reports that it already has a long term driver pool that it will need to supplement with further hiring.

The marketing plan includes brand building with press releases once the service is launched, awareness combined with local radio and newspaper announcements that will build of its services. In the longer term it will have targeted marketing online via Google and other search engines as well as social media. The panel notes that the company has an established website that can be used to instruct and inform customers on its services.

There has not been any information brought to our attention to prove that the applicant is not fit and proper. The financial information included a balance sheet as at September 30, 2018 and income statements for the periods October 1, 2016-September 30, 2017 and October 1, 2017-September 30, 2018. Also included were three-year financial projections for the two routes proposed in this decision including a detailed revenue and expense work sheet for the first 12 months of operation. The forecasts appear reasonable and realistic given the assumptions outlined. The infrastructure and vehicles for startup of this ICB service out of Williams Lake are in place by the applicant and associated costs are avoided.

The panel finds that the applicant has the experience, operational knowledge and capacity to service the 2 proposed routes. We find the applicant to be a fit and proper person who has the necessary skills and infrastructure in place.

Public need and Sound Economic Conditions

The applicant proposes to operate between Prince George and Surrey, and between Williams Lake and Kamloops. For communities on these routes north of Hope and, the Fraser Canyon corridor, and southbound into Kamloops, there have been no ICB operators since Greyhound Canada's service withdrawals in 2018.

The applicant outlines that it *"wants to provide safe travel within the interior of B.C that easily links to transportation infrastructure already in place, for example, we want to schedule a route that is easily connectable in Prince George to BC Bus North and the Sky Train"*

in Surrey for the South, allowing passengers to easily travel beyond our own ICB route to provide a service that is seamless as possible.” Application materials state that “bus travel is generally chosen over alternatives by seniors, students and a more vulnerable population and we need to keep this in mind. Our goal when choosing locations for pickup and drop off point is multi-pronged with 3 key factors 1.) is the site safe, 2.) is there an accessible waiting point available 24/7 within close proximity, 3.) how does the passenger get beyond their trip with us.”

The application included a support letter dated March 18, 2019 from Donna Barnett, MLA Cariboo Chilcotin, who notes the applicant to be a very reputable company locally owned and operated and that will provide a much-needed service to citizens in the region.

Based on the above-noted information and evidence, we find that there is a public need for the service the applicant proposes and approving the application would promote sound economic conditions in the transportation industry in BC.

To ensure a smooth transition of service, we are requiring the applicant to post time schedules and implement its time schedules for the proposed route stops and website reservations by the dates set out in Appendices I and II of these decision.

The terms and conditions of licence specify required stops and minimum frequencies. The applicant may, however, at some point want to expand its service to other stops along the approved routes. We have, therefore, approved a term and condition of licence that allows this flexibility.

VII. Conclusion

For the reasons above, this application is approved in whole. The Board establishes notice and activation requirements, and terms and conditions of licence that are attached to this decision as Appendices I and II. These form an integral part of the decision.

Appendix I

Public Notice Requirements

Gertzen Ventures Ltd.

dba: Adventure Charter and Rentals

A Passenger Transportation Licence must be issued by the Registrar of Passenger Transportation under section 29 or renewed under section 34 of the *Passenger Transportation Act* before the special authorization approved in this decision may be exercised.

A. Direction to the Applicant Regarding Notice and Implementation

Unless otherwise ordered by the Passenger Transportation Board, Gertzen Ventures Ltd. must post time schedules online and make available to the public its online reservation system no later than **April 15, 2019** to enable advance bookings.

B. Direction to the Registrar of Passenger Transportation Regarding Issuance

The Registrar of Passenger Transportation (Registrar) may only issue a licence to Gertzen Ventures Ltd. with terms and conditions approved in this decision and set out in Appendix II after the Registrar is satisfied that Gertzen Ventures Ltd. has posted time schedules online and made available to the public its online reservation system.

Appendix II

Gertzen Ventures Ltd.

dba: Adventure Charter and Rentals

Terms & Conditions

SA Licence Required to Operate ICBs	The Registrar of Passenger Transportation must issue the applicant a licence with Special Authorization before the applicant can operate inter-city buses on routes approved in this decision.
Approval of application may expire	<ol style="list-style-type: none"> 1. The applicant must obtain a licence with Special Authorization from the Registrar by April 15, 2019. 2. If the applicant does not meet the requirements set out in 1 above, this Special Authorization expires. 3. The Passenger Transportation Board may vary the requirements set out in 1 above, if circumstances warrant. 4. If an applicant needs more time to meet the requirements in 1 above, then the applicant must make a request to the Board by April 15, 2019. <p>(Note: “activate” means that the applicant has submitted the documents required to obtain a Special Authorization Vehicle Identifier to the Registrar of Passenger Transportation.)</p>
Notice to Registrar	5. The Registrar must not, without direction from the Board, issue the applicant a licence with Special Authorization after April 15, 2019 .

Special Authorization	Inter-City Bus (ICB)
Terms & Conditions	
Services	
Service	Transportation of passengers must be provided: <ol style="list-style-type: none"> a) on a scheduled basis, and b) in accordance with minimum frequencies and other terms and conditions of licence that apply to the routes and route points.
Schedule	The licence holder must publish, in a manner accessible to the general public, a schedule for each route with the time and location of each stop, and must carry in each vehicle a copy of the schedule that the vehicle is following.

Service Exception	<p>Routes may be operated on a “pre-booked” or “reservation required” basis provided that:</p> <p>a) applicable routes are identified as a “pre-booked” or “reservation required” service in all current, published schedule information, and</p> <p>b) these routes are available at all times for pre-booking or reservation on the licensee’s website.</p> <p>When these conditions are met and when no reservations have been received for pickup or drop off at one or more points on the route by the time service is scheduled to be provided, the licence holder has the option of not providing service to those points that would otherwise be required.</p>
Alternative Points:	The licence holder may pick up or drop off passengers at any location, municipality or unincorporated area that is between the terminating points and along the highway corridors for the inter-city bus routes in this licence.

Route A

Terminating Point 1:	City of Surrey
Terminating Point 2:	City of Prince George
Corridor:	Highway 1: Surrey–Cache Creek Highway 97: Cache Creek–Prince George
Route Points	Minimum Trips (each direction)
City of Surrey	2 per week
City of Abbotsford	2 per week
City of Chilliwack	2 per week
District of Hope	2 per week
Boston Bar	2 per week
Village of Lytton	2 per week
Village of Cache Creek	2 per week
Village of Clinton	2 per week
70 Mile House	2 per week
District of 100 Mile House	2 per week
City of Williams Lake	2 per week
City of Quesnel	2 per week
City of Prince George	2 per week

Route B	
Terminating Point 1:	City of Kamloops
Terminating Point 2:	City of Williams Lake
Corridor:	Highway 97: Kamloops–Cache Creek–Williams Lake
Route Points	Minimum Trips (each direction)
City of Kamloops	2 per week
Village of Cache Creek	2 per week
Village of Clinton	2 per week
70 Mile House	2 per week
District of 100 Mile House	2 per week
City of Williams Lake	2 per week
Transfer of a licence	This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the <i>Passenger Transportation Act</i> .