

ORIGINAL

Decision No. 42103

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
BRYAN BAYLY, doing business under)
the name of HARBOR WATER TAXI CO.,)
for certificate of public convenience)
and necessity to operate passenger and)
hand-baggage service in water taxis)
between Wilmington, California and)
Avalon, California.)

Application No. 27623
2nd Supplemental

SUPPLEMENTAL OPINION

By Decisions Nos. 39668 and 40082, Bryan Bayly, doing business as the Harbor Water Taxi Co., was authorized to transport, as a common carrier by vessel, passengers and their hand baggage between Wilmington, in the City of Los Angeles, and the City of Avalon on Santa Catalina Island. These decisions provide for scheduled and unscheduled service during the months of March through September of each year. By his second supplemental application, as amended, Bryan Bayly seeks extension of his operative authority to permit unscheduled service the year around; he also seeks authority to provide "on call" service throughout the year between Wilmington and Avalon.

Applicant states there are many people who would use the unscheduled and "on call" services and that the number is sufficient to justify his providing the services during the entire year. The proposed fares, rules and regulations would be the same as are maintained in applicant's present tariff on file with the Commission.

¹ Applicant's unscheduled service is primarily for the accomodation of persons who reach the Wilmington terminal of the Catalina Island Steamship Line too late for departure on steamships of that company. Unscheduled trips, made only when there is a minimum of 10 passengers, leave Wilmington at 10:30 A.M. and Avalon at 4:00 P.M. "On call" trips would be made at any hour of the day or night, whenever 10 or more persons desire the service. Except that in the unscheduled service departure times are specified, there appears no distinction between the unscheduled and "on call" services.

From his past experience in performing unscheduled trips, applicant believes that the proposed services would be compensatory.

The record shows that applicant owns four water-taxis, all of which are fully equipped with ship-to-shore radios, life belts, and fire extinguishers. Capacities of the ships range from 45 to 75 passengers.

Other common carriers serving Avalon by vessel have been notified of applicant's proposal and have informed the Commission that they are not opposed to the granting of the sought authority.

It appears that this is a matter in which a public hearing is not necessary.

Upon consideration of this matter the Commission finds that public convenience and necessity require the operation of a common carrier vessel service as proposed. The application will be granted. The authority herein granted, designated as applying to "on call" service, will apply also to the unscheduled service.

O R D E R

Application having been made therefor and good cause appearing,

IT IS ORDERED:

1. That service regulation (a) of paragraph (2) of the Order in Decision No. 39668, dated November 26, 1946, be, and it hereby is, amended to read as follows:

- (a) That common carrier service herein authorized which is operated as scheduled service shall be performed on a seasonal basis approximately from the first day of March to the thirtieth day of September, each year; that common carrier service herein authorized which is operated as "on call" service shall be performed throughout the year subject to a minimum requirement of ten (10) passengers per one-way trip.

2. That applicant be and he is hereby authorized to amend his tariff to the extent made necessary by this order on five (5) days' notice to the Commission and to the public.

This order shall become effective ten (10) days from the date hereof.

Dated at San Francisco, California, this 5th day of October, 1948.

R. Z. [Signature]
W. H. [Signature]
Harold [Signature]
[Signature]

Commissioners