

Decision No. 70437

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CREW TRANSIT, INC., dba COACH TRANSIT,
for CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY to operate passenger and
express baggage service on three (3)
separate routes between San Diego
International Airport and La Jolla;
San Diego International Airport and
La Mesa and El Cajon; San Diego Inter-
national Airport and National City and
Chula Vista, California.

Application No. 48005
(Filed October 25, 1965)

Harry B. Dowsing, for applicant.
Scales, Patton, Ellsworth & Corbett,
by Leon W. Scales, for San Diego
Transit System; Joseph D. Patello,
for San Diego Unified Port District;
and Robert W. Knowlton, for Goodall's
Charter Bus, Inc., interested parties.
W. R. Kendall, for the Commission staff.

O P I N I O N

This application was heard before Examiner DeWolf at San Diego, California, on December 9, 1965, on which date it was submitted, subject to the filing of late-filed Exhibit 1, which has been received. Copies of the application and the notice of hearing were served in accordance with the Commission's procedural rules.

San Diego Transit System, the San Diego Unified Port District, and Goodall's Charter Bus, Inc., appeared as interested parties.

Applicant requests authorization to institute and conduct operations as a passenger stage corporation for the transportation

of passengers and their baggage between San Diego Municipal Airport (Lindbergh Field) and La Jolla, La Mesa, El Cajon, National City and Chula Vista, and intermediate points, over separate routes.

Route No. 1 will serve the La Jolla Inn and the Honkers Restaurant, with scheduled stops. The proposed fares are as follows:

From San Diego Municipal Airport to:

	<u>Full Fare</u>	<u>Half Fare</u>
La Jolla Inn	\$ 1.45	\$.75
La Jolla	1.75	.85

Route No. 2 will serve Hotel Circle on Highway No. 80, the Black Horse Inn at La Mesa and one stop at El Cajon. The proposed fares are as follows:

From San Diego Municipal Airport to:

	<u>Full Fare</u>	<u>Half Fare</u>
Hotel Circle	\$ 1.25	\$.60
La Mesa	2.00	1.00
El Cajon	2.50	1.25

Route No. 3 will serve National City and a shopping center in Chula Vista, California. The proposed fares are as follows:

From San Diego Municipal Airport to:

	<u>Full Fare</u>	<u>Half Fare</u>
National City	\$ 1.50	\$.75
Chula Vista	1.85	.90

Fares for the return trip to the airport are to be the same.

The applicant holds a charter party permit and by Decision No. 70379 dated February 23, 1966 applicant was granted authority to operate as a passenger stage corporation between Los Angeles International Airport and Marineland.

Applicant proposes to maintain the service daily, including Sundays and holidays, with schedules starting shortly before 6:00 a.m. and ending after 11:00 p.m., for the exclusive use of passengers entering and leaving the Municipal Airport at San Diego, California. Applicant proposes to use four new Checker Aero-Bus limousines, which it has ordered, and each of which has a seating capacity of eleven passengers. The applicant's schedule describes sixteen trips on the La Jolla route, approximately one hour apart, eleven trips on the El Cajon route, approximately one and one-half hours apart, and fourteen trips on the Chula Vista route, approximately one hour apart.

Applicant's operating manager and executive officer testified that his cost estimate for operating the equipment is 39 cents to 40 cents per mile, that he had used his experience in Los Angeles to survey the San Diego area, and that ten per cent of the airport passengers, both entering and leaving, would be prospective customers for this service. Late-filed Exhibit 1, applicant's balance sheet dated October 31, 1965 prepared by its accountant, sets out assets in the sum of \$29,769.99; and a net worth of \$11,274.00.

Applicant's manager testified that an express service was needed for airport passengers to the hotels and neighborhoods on these routes, as there is no other comparable service in and out of the airport. Applicant's manager also testified that most of the airport passengers with baggage find the San Diego transit service inconvenient because they are required to walk and carry their baggage long distances to bus stops. Taxi service, it was stated, is expensive for the stops proposed on these routes.

The San Diego Transit System opposed the application and introduced into evidence a map, Exhibit 2, showing the bus routes that it operates passing the San Diego Airport, and Exhibit 3, a list of the trips operated on its bus routes. A witness for the transit company testified that the use of the marked bus stops of the transit system by applicant would interfere with the transit operation and requested that the applicant be restricted from use of any of the transit system bus stops. The transit system also opposed the application for the reason that it has many buses on its lines which have many empty seats and room for additional passengers, and also, for the reason that it is paying the City of San Diego for one-half of the cost of repairing the streets at these bus stops.

The Goodall's Charter Bus, Inc., opposed the application on the ground that such service is not needed at this time, and that the application is premature.

The assistant port director of the San Diego Unified Port District testified, in opposition to the application, that the airport entrance is highly congested with traffic; that there is a shortage of parking in the area; and that more buses coming into the area would complicate, rather than improve, the situation. He further testified that applicant had made no arrangements with the San Diego Unified Port District for any plans or space for parking its buses to load or discharge passengers; that there is a transit bill pending for possible formation of a transit district; and that there are other bus companies in the San Diego area which should be given consideration for this service.

Findings

Upon consideration of the evidence, the Commission finds as follows:

1. A public need exists for a more direct express bus service to the hotels and locations between San Diego Municipal Airport and La Jolla, La Mesa, El Cajon, National City and Chula Vista, on a scheduled basis, with the handling of baggage.

2. Applicant should be restricted to passengers who originate at, or are destined for, the San Diego Municipal Airport.

3. Applicant has experience in operating passenger buses on charter parties for the airline employees at the airport.

4. The service offered by the San Diego Transit System does not satisfactorily meet all the needs of the public as established in this proceeding and San Diego Transit System will not provide the service as proposed by the applicant to the satisfaction of the Commission.

5. The fares proposed by applicant per adult passenger will not be likely to reduce patronage of the San Diego Transit System.

6. Applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the proposed service.

7. Public convenience and necessity require that the proposed service be authorized in the manner set forth in the ensuing order.

The Commission concludes that the application should be granted as set forth in the ensuing order.

Applicant is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Crew Transit, Inc., a corporation, doing business as Coach Transit, authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes particularly set forth in First Revised Page 2, Original Page 2-A and Original Page 4, attached hereto, as an extension and enlargement of and consolidation with, and subject to all the limitations and restrictions set forth in, the certification granted by Decision No. 70382 and in particular subject to the provisions set forth in Appendix A thereof.

2. Appendix A of Decision No. 70394 is hereby amended by incorporating First Revised Page 2, Original Page 2-A and Original Page 4 in revision of Original Page 2.

3. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that it will be required, among other things, to comply with and observe the safety rules of the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-A and insurance requirements of the Commission's General Order No. 101-A. Failure to comply with and observe the safety rules, or the provisions of General Orders Nos. 98-A or 101-A, may result in a cancellation of the operating authority granted by this decision.
- (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the service herein authorized.
- (d) The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79 and 98-A.
- (e) Applicant shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year,

an annual report of its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

4. The certificate of public convenience and necessity, issued herein, is granted upon the condition that applicant obtain from the San Diego Unified Port District or from other appropriate local governmental agencies, permission for parking its buses to load and discharge passengers at Lindbergh Field.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 9th day of MARCH, 1966.

Frederick B. Halbach
 President

Richard E. Mitchell

George H. Traver

Alvin J. ...

Commissioners

Appendix A
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CREW TRANSIT, INC.
doing business as
COACH TRANSIT

First Revised Page 2
Cancels Original Page 2

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS.

Crew Transit, Inc., doing business as Coach Transit, it
authorized to transport passengers and their baggage between:

- (a) Lindbergh Field, on the one hand, and La Jolla, La Mesa,
El Cajon, National City, and Chula Vista, on the other
hand;
- (b) Los Angeles International Airport and Marineland of the
Pacific;

over and along the routes hereinafter described, subject, however, to
the authority of this Commission to change or modify said routes at
any time and subject to the following provisions and restrictions:

- (1) Applicant shall transport only passengers destined to
or originating at:
 - (a) Lindbergh Field (San Diego Municipal Airport)
 - or
 - (b) Los Angeles International Airport
- (2) Applicant shall not pick up or discharge passengers
except at:
 - (a) La Jolla, La Mesa, El Cajon, National City, Chula
Vista and Lindbergh Field.
 - or
 - (b) Redondo Beach, Palos Verdes Estates, Marineland
and the Los Angeles International Airport.

Specific points shall be named in the applicant's
tariff.

- (3) Route 2 - Applicant may discharge passengers outbound
from the airport and pick up inbound to the airport
at Hotel Circle, City of San Diego.

Issued by California Public Utilities Commission.

Revised by Decision No. 70437 Application No. 48005

CREW TRANSIT, INC.
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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS. (cont.)

- (4) Baggage shall be transported in passenger-carrying vehicles only, and limited to a weight of not more than 100 pounds.
- (5) When route descriptions are given in one direction, they apply to operation in either direction, unless otherwise indicated.
- (6) Motor vehicles may be turned at termini or intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.

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SECTION 2 ROUTE DESCRIPTIONS (continued)

Route No. 1 - Lindbergh Field - LaJolla

Commencing at Lindbergh Field, thence along Pacific Highway, Grand Avenue, Mission Boulevard, Turquoise Street, La Jolla Boulevard, Pearl Street, Fay Avenue, Kline Street, Girard Avenue.

Route No. 2 - Lindbergh Field - La Mesa. El Cajon

Commencing at Lindbergh Field, thence along Pacific Highway, U. S. Highway 80, (to Hotel Circle) U. S. Highway 80, Nebo Drive, El Cajon Boulevard, Main Street, Magnolia Avenue to U. S. Highway 80, La Mesa Downtown off-ramp (University Avenue), to Black Horse Inn, return to U. S. Highway 80, to Hotel Circle, and return via the reverse of the going route.

Route No. 3 - Lindbergh Field - National City. Chula Vista

Commencing at Lindbergh Field, thence along Pacific Highway, Olive Street, San Diego Freeway, 8th Street, National Avenue, Broadway (Chula Vista) to its intersection with H Street (Shopping Center).

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