

ORIGINAL

Decision No. 75041

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of }
 John F. Richardson and Bessie G. }
 Richardson, doing business as }
 VENTURA COUNTY TRANSPORTATION CO. a }
 copartnership, to sell, and }
 AIRPORTTRANSIT, a corporation, to }
 purchase a certificate of public }
 convenience and necessity as a pas- }
 senger stage corporation. }

Application No. 50600
 Filed October 3, 1968

O P I N I O N

John F. Richardson and Bessie G. Richardson, a partnership, doing business as Ventura County Transportation Co. (sellers), seek authority to sell and Airporttransit, a corporation (buyer), seeks authority to purchase the passenger stage corporation certificate of public convenience and necessity now held by sellers. No other property is to be transferred. The agreed consideration for transfer of the certificate is \$30,000, to be paid concurrently with the transfer of the certificate.

The certificate to be transferred authorizes the transportation of passengers and their baggage between Los Angeles International Airport, on the one hand, and Ventura, Oxnard, Camarillo and Woodland Hills, on the other hand. The certificate was issued in Decision No. 72444 in Application No. 49109. Sellers are not parties to any through routes or joint fares with any other passenger stage corporation.

The application alleges that buyer is a passenger stage corporation engaged in the transportation of airline passengers and their baggage between many points in Los Angeles County, on the one

hand, and the following airports, on the other hand: Los Angeles International, Ontario International, Lockheed Air Terminal, and Van Nuys. Buyer's current operative right parallels a portion of seller's operative right.

The application further alleges that buyer is seeking to acquire the certificate in order to extend its service and operations. Acquisition of the operative right assertedly will permit buyer to improve service to its patrons and to obtain maximum use of the equipment. In the event the transfer is authorized seller will discontinue all operations as a passenger stage corporation.

Buyer requests, if the application is granted, that the certificate to be acquired by it be consolidated with its present loose-leaf certificate, and that the operative right to be acquired be subject to the provisions and conditions of its current certificate.

Financial statements attached to the application indicate that buyer's net worth, as of June 30, 1968, was \$999,900. The application alleges that buyer has adequate facilities and experience to conduct the operations proposed to be acquired.

The application was served in accordance with the Commission's rules. The notice of the filing of the application was published in the Commission's Daily Calendar of October 2, 1968. There are no protests.

After consideration, the Commission finds that the proposed transfer would not be adverse to the public interest. A public hearing is not necessary. Buyer's certificate should be amended to incorporate the operative right acquired pursuant to this proceeding and seller's operative right should be revoked.

Airporttransit, a corporation, 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. On and after the effective date of the order herein, and before January 30, 1969, John F. Richardson and Bessie G. Richardson may sell and Airporttransit, a corporation, may purchase and acquire, the operative rights referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, Airporttransit shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. Airporttransit, a corporation, shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations herein to show that John F. Richardson and Bessie G. Richardson have withdrawn or canceled, and Airporttransit has adopted or established as its own, said rates and rules. 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 consummation of the transfer herein authorized. The tariff and timetable filings made pursuant to this order shall comply in all respects 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. Failure to comply with and observe the provisions of General Orders Nos. 79 and 98-A may result in a cancellation of the operating authority granted by this decision.

4. On or before the end of the third month after the consummation of the transfer as herein authorized, Airporttransit shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of sellers for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. In the event the transfer authorized in paragraph 1 hereof is consummated, a certificate of public convenience and necessity is granted to Airporttransit, a corporation, 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 Fifth Revised Page 2, Ninth Revised Page 4, Fifth Revised Page 5 and Third Revised Page 10 of Appendix A, attached hereto and made a part hereof, as an extension of and subject to all the limitations and restrictions set forth in the certificate granted by Decision No. 59259.

6. Appendix A of Decision No. 59259, as amended, is further amended by incorporating therein Fifth Revised Page 2, Ninth Revised Page 4, Fifth Revised Page 5 and Third Revised Page 10 in revision of Fourth Revised Page 2, Eighth Revised Page 4, Fourth Revised Page 5 and Second Revised Page 10.

7. The certificate of public convenience and necessity granted in paragraph 5 of this order shall supersede the certificate of public convenience and necessity granted by Decision No. 72444, as amended, which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 3 hereof.

8. In providing service pursuant to the certificate herein granted, Airporttransit, a corporation, shall comply with and observe the following service regulations. Failure so to do may result in a cancellation of the operating authority granted by this decision.

- a. Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. Applicant is placed on notice that, if it accepts the certificate of public convenience and necessity herein granted, 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-B.
- b. 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.

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

Dated at San Francisco, California, this 31 day of DECEMBER, 1968.

William J. ...
President

August ...
W. P. ...
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

hjh/nb

Appendix A
(Dec. 59259)

AIRPORT TRANSIT
(a corporation)

Fifth Revised Page 2
Cancels
Fourth Revised Page 2

	<u>INDEX</u>	<u>Page No.</u>
Section 1.	GENERAL AUTHORIZATIONS, ETC.	3
	Turning vehicles at termini, etc.	4
	Passenger restrictions	4
	Pick-up and discharge points	4
	"On-Call" service	5
Section 2.	DESCRIPTION OF TERRITORIES	
	Los Angeles territory	3
	Hollywood territory	3
	West Los Angeles territory	3
	San Fernando Valley territory	9
	Inglewood-Hawthorne territory	9
	Commerce territory	9
Section 3.	ROUTE DESCRIPTIONS	
	(1) San Bernardino, Redlands, Riverside, Fontana - Ontario and Los Angeles Airports	10
	(2) Los Angeles, Hollywood territories - Anaheim Stadium	
	*(3) Ventura, Oxnard, Camarillo, Woodland Hills, Thousand Oaks - Los Angeles International Airport	

Pages 6 and 7 intentionally left blank.

Issued by California Public Utilities Commission.

*Added by Decision No. 75041, Application No. 50600.

hjh/nt

Appendix A
(Dec. 59259)

AIRPORTTRANSIT
(a corporation)

Ninth Revised Page 4
Cancels
Eighth Revised Page 4

3. Between the City of Glendale, on the one hand, and the Ontario International Airport, on the other hand;
9. Between the City of Commerce, on the one hand, and the Los Angeles International Airport, on the other hand;
10. Between the Cities of San Bernardino, Redlands, Riverside, and Fontana, on the one hand, and the Ontario International Airport and Los Angeles International Airport, on the other hand. Express may also be transported between these points;
11. Between the Los Angeles territory as hereinafter described, on the one hand, and the Steamship Docks located in the Cities of Los Angeles and Long Beach, on the other hand;
12. Los Angeles-Anaheim Stadium service discontinued;
13. Between the Los Angeles and Hollywood territories, as said territories are hereinafter described, on the one hand, and the Van Nuys Airport on the other hand;
14. Between the Los Angeles and Hollywood territories, as said territories are hereinafter described, on the one hand, and the Palmdale Airport on the other hand;
- *15. Between the City of Ventura, on the one hand, and Los Angeles International Airport, on the other hand, serving all intermediate points, including Oxnard, Camarillo, Woodland Hills, and Thousand Oaks.

The authority herein granted is subject to the following conditions and restrictions:

All service except Routes Nos. 1 and 2:

- a. 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.
- b. Only airline and steamship passengers and employees, employees of the Department of Airports of the City of Los Angeles, the Department of Airports of the City of Ontario and the Palmdale Airport, and their baggage, shall be transported.
- c. Passengers shall be picked up and discharged only at points and places to be named in applicant's tariff and situated within the territories and cities hereinabove-named.

Issued by California Public Utilities Commission.

*Added under authority of Decision No. 75041,
Application No. 50600.

hjh/nb

Appendix A
(Dec. 59259)

AIRPORTTRANSIT
(a corporation)

Fifth Revised Page 5
Cancels
Fourth Revised Page 5

- d. Hollywood Park Race Track service shall be rendered only on days when thoroughbred and harness races are scheduled.
- e. No service is authorized to or from the Catalina Island Terminal at Wilmington or San Pedro.
- f. When service is rendered on an "on-call" basis, tariffs and timetables of Airporttransit shall show the conditions under which such "on-call" service will be rendered.
- g. Subject to the authority of this Commission to change or modify such passenger stage operation at any time, Airporttransit shall conduct such operation over and along the most direct or appropriate route or routes, subject, however, to local traffic regulations.
- *h. All Routes
 - (1) No passenger shall be transported whose origin or destination is a point other than the points and places authorized, and all passengers shall either be destined to or originate at one of said airports.
 - (2) No express shall be transported except expedite baggage, mail or newspapers, and said express shall be transported on passenger-carrying vehicles and limited to a weight of not more than 100 pounds per shipment.
 - (3) Passengers shall be picked up or discharged in accordance with local traffic regulations. Specific points shall be named in applicant's tariff.

Issued by California Public Utilities Commission.

*Change, issued under authority of Decision No. 75041,
Application No. 50600.

hjh/rb

Appendix A
(Dec. 59259)

AIRPORTTRANSIT
(a corporation)

Third Revised Page 10
Cancels
Second Revised Page 10

Section 3. ROUTE DESCRIPTIONS:

ROUTE (1) - San Bernardino, Redlands,
Riverside - Ontario and
Los Angeles Airports:

Commencing in the City of San Bernardino;
thence via the most direct and appropriate
route, or routes, to the Ontario International
Airport, serving Redlands, Riverside, and
Fontana as intermediate points; thence via
the most direct and appropriate route, or
routes, to the Los Angeles International
Airport.

ROUTE (2) - Los Angeles, Hollywood Territories -
Anaheim Stadium:

Discontinued.

* ROUTE (3) - Ventura, Oxnard, Camarillo,
Woodland Hills, Thousand Oaks -
Los Angeles International Airport:

Commencing in the City of Ventura, thence via
the most direct and appropriate route, or routes,
to the Los Angeles International Airport.

Issued by California Public Utilities Commission.

*Added under authority of Decision No. 75041,
Application No. 50600.