

ORIGINAL

Decision No. 76922

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of HARBOR CARRIERS, INC., a corpo-)
ration, for a certificate of)
public convenience and necessity,)
authorizing an extension of its)
operating authority so as to)
authorize it to operate vessels)
"on schedule" as a common carrier)
of passengers between Tiburon and)
Alcatraz Island.)

Application No. 51407
(Filed October 7, 1969)

John G. Lyons, for applicant.
Lawrence D. Rose, for the City of Tiburon,
protestant.
Victor Weiss and Tack S. Joe, for the
Commission staff.

O P I N I O N

Harbor Carriers, Inc., presently operating as a common carrier by vessel between points on San Francisco, San Pablo, and Suisun Bays, requests authority to extend service between Tiburon, on the one hand, and Alcatraz Island, on the other.

A public hearing was held before Examiner Daly on January 30, 1970, at San Francisco. The application was protested by the City of Tiburon.

Applicant owns and operates ten vessels varying in capacity from 49 passengers to 500 passengers. The proposed fares are as follows:

| | |
|--|--------|
| Adult Fares (Round Trip) | \$1.50 |
| Adult Fares (One Way) | .80 |
| Children under 12 (Round Trip) | .75 |
| Children under 12 (One Way) | .40 |
| (Children under five years and not occupying seats to the exclusion of other passengers will be carried free.) | |

The proposed service would be operated June 1 through September 10 of each year with a daily schedule leaving Tiburon at 11:05 a.m., arriving at Alcatraz Island at 11:20 a.m., and the return trip leaving at 3:45 p.m. and arriving at Tiburon at 4:00 p.m. As of June 30, 1969, applicant indicated a net worth in the amount of \$246,940.

It is alleged that applicant has received a number of requests for service between Tiburon and Alcatraz Island and at the present time there is no authorized common carrier operating between said points.

Representatives of the Marin County Chamber of Commerce, the Tiburon Peninsula Chamber of Commerce and the San Francisco Convention and Business Bureau testified in support of the application.

The City of Tiburon based its protest upon the ground that the proposed service would aggravate a serious parking problem in the City of Tiburon.

Applicant is not now providing service because of a strike; however, it is presently authorized to operate between Tiburon and San Francisco and between San Francisco and Alcatraz Island. The proposed service would merely provide a link to a more complete operation and would thereby provide passengers, particularly during the tourist season, a greater opportunity to visit the points of interest in the San Francisco Bay.

By Decision No. 76533, dated December 9, 1969, in Application No. 51483, Marin County Transit System, Inc., was authorized to operate a feeder bus service between Marin area points

and the Tiburon Ferry. It is hoped that this service will help to alleviate the parking problem in Tiburon.

After consideration the Commission finds that:

1. Harbor Carriers, Inc. is presently authorized to operate as a common carrier by vessel between points on the San Francisco Bay including service between Tiburon and San Francisco and between San Francisco and Alcatraz Island.

2. Applicant possesses the necessary vessels, experience and financial ability to provide service between Tiburon and Alcatraz Island.

3. Representatives of various groups appeared in support of applicant's proposed service between Tiburon and Alcatraz Island and testified that their organizations have been contacted by many individuals during the tourist season seeking information as to available service between Tiburon and Alcatraz Island.

4. The City of Tiburon is confronted with a parking problem and is concerned that the proposed service would aggravate this problem.

5. The Commission has recently authorized a feeder bus service connecting with the Tiburon ferry service, which should help to alleviate the parking problem.

We conclude that public convenience and necessity require the proposed service. For the purpose of clarity applicant's operating authority will be restated in loose-leaf form.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Harbor Carriers, Inc., a corporation, authorizing it

to operate as a common carrier by vessel, as defined in Sections 211(b) and 238 of the Public Utilities Code, between the points and over the routes particularly set forth in Appendix A, attached hereto and made a part hereof.

2. In providing service pursuant to the certificate herein granted, applicant 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 insurance requirements of the Commission's General Order No. 111-B.
- (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. 87 and 117.
- (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.

3. Concurrent with the tariff and timetable filings required by ordering paragraph 2(c) hereof the operating authority granted by Decision No. 73811 in Application No. 49712 as amended by Decision No. 76496 in Application No. 50710 is hereby revoked.

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

Dated at San Francisco, California, this 10th day of MARCH, 1970.

William J. ...
President

August ...
...
Commissioners

I dissent
I dissent
Vernon L. Sturgen

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

The certificate hereinafter noted supersedes all operative authority heretofore granted to Harbor Carriers, Inc. or its predecessors with the exception of certain prescriptive rights described in Appendix A to Decision No. 29778 (40 C.R.C. 493,515).

Showing common carrier by vessel operative rights, restrictions, limitations, exceptions, and privileges applicable thereto.

All changes and amendments as authorized by the Public Utilities Commission of the State of California will be made as revised pages or added original pages.

Issued under authority of Decision No. 76922, dated MAR 10, 1970, of the Public Utilities Commission of the State of California, on Application No. 51407.

SECTION 1. GENERAL AUTHORIZATION, RESTRICTIONS, LIMITATIONS
AND SPECIFICATIONSSAN FRANCISCO BAY OPERATIONS

Harbor Carriers, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport persons by vessel over the waters of San Francisco Bay between San Francisco, on the one hand, and Angel Island State Park, Tiburon, Alcatraz Island and Sausalito, on the other hand, and between Tiburon, on the one hand, and Alcatraz Island, on the other hand, subject to the following conditions:

A. San Francisco - Angel Island State Park

Harbor Carriers, Inc. shall provide in its tariff and timetable for at least one trip per day in each direction during the period from June 1 through September 10 of each year. In addition, applicant is authorized to provide in its tariff and timetables for an on-call service, on one hour's notice, for three or more passengers during the period from September 11 through May 31 of each year.

B. San Francisco - Tiburon

Harbor Carriers, Inc. shall provide in its tariff and timetable for at least two trips per day in each direction during the period from June 1 through September 10 of each year. In addition, applicant is authorized to provide in its tariff and timetable for an on-call service, on two hours' notice, for 15 or more adult passengers during the period from September 11 through May 31 of each year.

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C. San Francisco - Alcatraz Island

Harbor Carriers, Inc. shall provide in its tariff and timetable for at least two trips per day in each direction during the period from June 1 through September 10 of each year. In addition, Harbor Carriers, Inc. is authorized to provide in its tariff and timetable for an on-call service, on one hour's notice, for five or more adult passengers during the period from September 11 through May 31 of each year.

D. San Francisco - Sausalito

Harbor Carriers, Inc. shall provide in its tariff and timetable for at least one trip per day in each direction during the period from June 1 through September 10 of each year. In addition, Harbor Carriers, Inc. is authorized to provide in its tariff and timetable for an on-call service, on two hours' notice, for 15 or more adult passengers from September 11 through May 31 of each year.

E. Tiburon - Alcatraz Island

Harbor Carriers, Inc., shall provide in its tariff and timetable for at least one trip per day each direction during the period between June 1 through September 10 of each year. In addition, Harbor Carriers, Inc., is authorized to provide in its tariff and timetable for an on-call service, on two hours' notice, for fifteen or more adult passengers between the period September 11 through May 31 of each year.

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MAINLAND-CATALINA OPERATIONS

Harbor Carriers, Inc., a corporation, by the decision noted in the margin, is authorized to conduct daily scheduled common carrier service throughout the year, by vessel, for the transportation of passengers and their baggage between the Port of Long Beach and Avalon, Santa Catalina Island.

Issued by California Public Utilities Commission.

Decision No. 76922, Application No. 51407.