

ORIGINAL

Decision No. 78506

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
John Tzerchyuan Tsai for certificate)
of public convenience and necessity)
to operate passengers and baggages)
service between L.A. International)
airport and China-town through)
Japanese-town.)

Application No. 52328

(Filed November 24, 1970)

George S. Lee, Attorney at Law,
for applicant.
Ivan McWhinney, Attorney at Law,
for Airporttransit, protestant.
R. W. Russell, Chief Engineer
and General Manager, Department
of Public Utilities & Transpor-
tation, by K. D. Walpert, for
City of Los Angeles, interested
party.
Lloyd C. Young and Edward C.
Crawford, for the Commission
staff.

O P I N I O N

After due notice as required by this Commission, a public hearing on the application was held in Los Angeles before Examiner Rogers on February 8, 1971, and the matter was submitted. Airporttransit was the only protestant.

The applicant, an individual, requests a certificate of public convenience and necessity for the transportation of passengers and their baggage by bus between the Los Angeles International Airport and Chinatown, a distance of 17.1 miles, and intermediate points, via the following route: From the intersection

of North Broadway and Alpine Street (Chinatown) via North Broadway, Alameda Street, Temple Street, San Pedro Street to First Street and San Pedro Street (Japanesetown), Fifth Street, Olive Street, Seventh Street, Bixel Street, Harbor Freeway (applicant describes this as Freeway No. 11), Santa Monica Freeway (applicant describes this as Freeway No. 10), Crenshaw Boulevard (with a pickup or discharge stop at the Tokyo Bank on Crenshaw), Stocker Street, La Cienega Boulevard, La Tijera Avenue, Sepulveda Boulevard to the airport, returning via the reverse of the going route. Intermediate stops to pick up and discharge passengers would be made at the Hilton Hotel on Seventh Street and the Biltmore Hotel on Olive Street.

Service is to be provided by means of a new 1970 model Ford club wagon which applicant has agreed to purchase if he receives the requested certificate. This vehicle will carry 11 persons plus the driver. Applicant estimated it will require 90 minutes for a round trip. He proposes to make two round trips per day. He stated his liability insurance will cost him \$100 per month.

The applicant is of Oriental extraction. He speaks English, various Chinese dialects and Japanese. He proposes to carry only Oriental people who cannot speak English. His theory is that such people who come to Los Angeles are unable to get help at the airport due to the language barrier.

Applicant will do the driving and will have some person at the airport to help prospective passengers. He has no experience in public transportation except as a tour guide. The applicant

has made no survey to determine the number of passengers he might expect. He stated he visited the airport on five occasions to determine if many non-English-speaking Oriental passengers come in. No evidence was presented by any individual or group in support of the application.

Applicant's total cash assets, as of November 18, 1970, consisted of \$3,700.24 in a savings account, and \$334.75 in a checking account. He stated that his father is retired and is living in Taiwan and would help him financially if he requested help. His only other source of funds is his brother who is living with him and works in a restaurant. Neither has agreed to give applicant financial assistance.

The only protesting carrier was Airporttransit. This carrier has authority from this Commission to provide service between the Biltmore Hotel (Fifth Street and Grand Avenue), the Statler Hotel (Wilshire Boulevard and Figueroa Street), the Alexandria Hotel (Fifth and Spring Streets), and the Greyhound Depot (Sixth Street and Los Angeles Street), on the one hand, and the airport, on the other hand.

The protestant's vice president testified that it operates 96 one-way schedules per day; that in 1970, it carried a total of 512,235 passengers (Exhibit No. 1); that its fares are \$1.15 one way; that its buses can carry 45 passengers and are not operating at capacity; that the company is operating at a deficit due to lack of volume; that there are oriental-speaking employees at the airport; that seven-passenger limousines are available at the airport for \$8 or \$10 per trip; that Yellow Cabs

are available; and that buses and cabs are available from the Greyhound Terminal to both Chinatown and Japanesetown.

The witness further testified that Thailand and Japanese airlines have interpreters in the airport.

The Commission's Finance and Accounts Division representative stated he had no objection to the application.

A Commission transportation engineer referred to Section 1032 of the Public Utilities Code which, in part, provides ". . . the Commission may, after hearing, issue a certificate to operate in a territory already served by a certificate holder under this part only when the existing passenger stage corporation or corporations serving such territory will not provide such service to the satisfaction of the Commission."

Findings

Upon consideration of the record in this matter the Commission finds that:

1. Applicant is an individual of Oriental extraction who speaks English, various Chinese dialects, and Japanese. He proposes to transport non-English-speaking passengers only between the Los Angeles International Airport and Chinatown in the City of Los Angeles, with some intermediate stops to pick up or discharge passengers, all of whom must have originated at or be destined to the airport.

2. Applicant has made an arrangement to acquire a 1970 model 12-passenger (including driver) Ford which he will operate and drive in this service. Two schedules per day in each direction are proposed. Proposed fares will be \$1.50 per passenger.

3. Applicant's assets consist of approximately \$4,050 in cash. He has made arrangements for public liability insurance at a cost of approximately \$100 per month.

4. Applicant will carry only Oriental persons who speak Chinese or Japanese. He will have a helper at the airport to help such prospective passengers.

5. Applicant visited the airport for five days and noticed some Oriental persons who did not speak English coming in on flights from Asia. He did not inquire whether or not they needed assistance nor did he call any witnesses in support of the application.

6. There is a Japanese-speaking employee at the airport, no Chinese-speaking employees, but there is a Travelers Aid Station at the airport.

7. Airporttransit now provides approximately 96 one-way schedules per day between the airport, on the one hand, and the Biltmore, the Statler, and the Alexandria Hotels, and the Greyhound Depot in Los Angeles, on the other hand. Japanesetown is within walking distance and Chinatown is a short bus ride from the Greyhound Depot.

8. Airporttransit is operating at a loss and can carry additional passengers in its 45-passenger vehicles.

9. Airporttransit is providing service to the satisfaction of the Commission.

We conclude that the application should be denied.

O R D E R

IT IS ORDERED that the above-entitled application is denied.

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

Dated at San Francisco, California,
this 2nd day of APRIL 1971.

[Signature]
Chairman
William J. [Signature]
Vernon L. Stinger
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.