

Decision No. 80668

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SKYVIEW
LIMOUSINE SERVICE, INC.,
a California corporation,
for authority to discharge
passengers at Los Angeles
International Airport
(Amended title).

Application No. 53384

(Filed June 5, 1972;
amended August 8, 1972)

OPINION AND ORDER

Skyview Limousine Service, Inc., (Skyview) transports persons and their baggage as a passenger stage corporation between a defined area in and about the City of Palm Springs, on the one hand, and a defined area in and about the City of Los Angeles, on the other hand. Its present operating authority, that granted by Decisions Nos. 77373 and 78249, restricts it from picking up or discharging passengers at Los Angeles International Airport (LAX). By this application Skyview seeks removal of this restriction insofar as discharging passengers at LAX is concerned.

Skyview states that it receives numerous requests for service to LAX. At present persons desiring to use Skyview's services to reach LAX from the Palm Springs area must be deposited by Skyview at some point outside of the airport. From there they must use other transportation to reach the airport itself. Skyview declares that this procedure unreasonably imposes upon the traveling public, and it alleges that public convenience and necessity require that it provide service to the airport.

Applicant does not seek removal of the restriction on its operating authority against picking up passengers at LAX. It states that it has had few, if any, requests for such service. Applicant further states that it is impracticable for it to pick up passengers at the various satellites in LAX by prearranged reservations.

Assertedly, the extension of applicant's services to include the delivery of persons and their baggage to LAX will not adversely affect any other passenger stage corporations.

The application and the amendment thereto show that copies thereof have been served upon Western Greyhound Lines, Airporttransit, the County of Riverside, the Cities of Los Angeles, Desert Hot Springs, Indio, and Palm Springs, and the Community of Palm Desert. The filings of the application and of the amendment were reported in the Commission's Daily Calendars of June 12 and August 10, 1972, respectively.

A protest to the granting of the application has been received from the Yellow Cab Company of Palm Springs (Yellow Cab), which operates a taxicab service in the Palm Springs area, including service from and to the Palm Springs Airport. Yellow Cab alleges that its services, together with the services of airlines between the Palm Springs Airport and LAX, link the Palm Springs area with LAX, and that the service to LAX which Skyview is seeking to provide is not necessary.

Yellow Cab's services within the Palm Springs area obviously are a local service which is ancillary in part to the airline services between Palm Springs and LAX. Said service is not to be compared to the passenger stage service which Skyview seeks to provide, nor should it be considered in determining

whether Skyview's proposed service is required by public convenience and necessity.

The Commission finds that public convenience and necessity require the extension of Skyview's services to include the delivery of persons and their baggage to LAX. The application should be granted. Public hearing thereon is not necessary.

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.

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Skyview Limousine Service, Inc., authorizing the establishment and operation of service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of persons and their baggage between the points and over the routes set forth in Second Revised Page 2, attached hereto and made a part hereof, as an extension and enlargement of and consolidation with, and subject to all the limitations and restrictions set forth in the certificate granted by Decision No. 77373, as amended.

2. Appendix A of Decision No. 77373 as heretofore amended is hereby further amended by incorporating the revisions set forth on the revised page referred to in ordering paragraph 1 hereof.

3. 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 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-C.
- 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.

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

Dated at San Francisco, California,
this 31st day of OCTOBER, 1972.

Vernon L. Sturgeon
President
W. J. Hines
W. J. Hines
John R. ...
...
Commissioners

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

Skyview Limousine Service, Inc., a corporation, by certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers and baggage as follows:

- *1. BETWEEN any point in Palm Springs Territory, on the one hand, AND any point in Los Angeles Territory (excluding Los Angeles International Airport), on the other hand; also, FROM any point in Palm Springs Territory TO Los Angeles International Airport; said transportation to be performed over and along the most direct or appropriate route or routes.
 - (a) Service shall be limited to the transportation of passengers who originate at or are destined to points within either the Palm Springs Territory or Los Angeles Territory.
 - (b) No passenger shall be transported whose origin and destination are both within the limits of either the Los Angeles or Palm Springs Territories, or whose origin or destination is outside such territories.
 - (c) Service shall be operated with limousine-type air-conditioned vehicles, and no more than 7 passengers shall be transported in each vehicle, exclusive of driver.

Issued by California Public Utilities Commission.

*Changed by Decision No. 80668, Application No. 53384.