

FBC

Decision No. 82525

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
DALTON HAFNER and RUDOLPH DOCKTER)
for an Order Authorizing the Transfer)
of Operating Rights and Properties as)
a Passenger Stage Corporation between) Application No. 50970
the Monterey Peninsula Airport and the)
Surrounding Area in the State of Cali-)
fornia to DALTON HAFNER and BURT)
LAUDERBAUGH.)

ORDER OF REVOCATION

By Decision No. 75632, dated May 2, 1969, in Application No. 50970, Dalton Hafner and Burt Lauderbaugh, doing business as Airport Cab and Limousine Company, were granted a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation between the Monterey Peninsula Airport and Monterey, Pacific Grove, Carmel, Seaside, Presidio of Monterey and intermediate points.

In Application No. 52866, filed on September 17, 1971, Airport Transportation Company requested from this Commission a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation in the same general geographical area served by Dalton Hafner and Burt Lauderbaugh, doing business as Airport Cab and Limousine Company.

On November 23, 1971, Airport Transportation Company filed an amendment to Application No. 52866. The amendment sought authority to issue and sell for cash 99 shares of its capital stock, with the shares to be divided in equal proportions between Curtis D. Sanders, Dalton Hafner and Randall L. Ward.

Rudolph Dockter, a former partner of Dalton Hafner doing business as Airport Cab and Limousine Company, filed a petition on January 24, 1972 to deny the certificate to Airport

Transportation Company. Petitioner asserted that Lauderbaugh had not paid for the purchase of Dockter's share of partnership in Airport Cab and Limousine Company.

By Decision No. 79874, dated April 4, 1972, in Application No. 52866, filed September 17, 1971, amended on November 23, 1971, Airport Transportation Company, after hearing, was granted a Certificate of Public Convenience and Necessity. The petition filed by Rudolph Dockter was denied. Decision No. 79874 further authorized Airport Transportation Company to issue and sell for cash 99 shares of its \$10 par value stock in equal proportions to Dalton Hafner, Curtis D. Sanders and Randall L. Ward.

By a letter to the Commission, dated February 14, 1972, from an attorney representing Rudolph Dockter, Burt Lauderbaugh was reported to be deceased.

Since January 28, 1972, Airport Cab and Limousine Company has had no evidence on file with this Commission showing adequate protection against liability imposed by law for payment of damage for personal injury or property damage, as required by General Order No. 101-C.


It appears and the Commission finds that these matters constitute good cause for the revocation of the aforementioned certificate and that such revocation would not be adverse to the public interest. The Commission, therefore, concludes that the certificate should be revoked and that tariffs and timetables applicable to the service thereunder should be canceled.

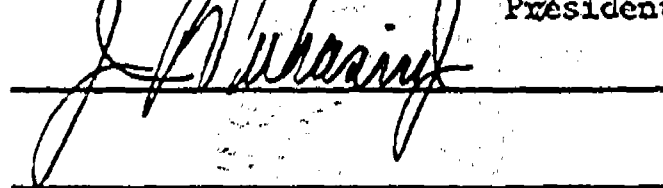
IT IS ORDERED that the Certificate of Public Convenience and Necessity to operate as a passenger stage corporation between Monterey Peninsula Airport and Monterey, Pacific Grove, Carmel, Seaside, Presidio of Monterey and intermediate points authorized by Decision No. 75632 in Application No. 50970, is hereby revoked and all effective tariffs and timetables on file with the Commission in the name of Airport Cab and Limousine Company are canceled upon the effective date of this order.


The Secretary is directed to mail certified copies of this order to Dalton Hafner at P. O. Box 1145, Monterey, CA 93940, and Harold C. Kruse, Attorney for Rudolph Dockter, at P. O. Box 30, Monterey, CA 93940, last known addresses as shown on the Commission's records.

The effective date of this order shall be the 20th day after the above mailing to P. O. Box 1145, Monterey, CA 93940 and P. O. Box 30, Monterey, CA 93940, last known addresses, unless before such effective date there shall have been filed with the Commission written response to this order requesting public hearing, in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 5th day of MARCH, 1974.


President




Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

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