

Decision No. 82560**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
HARBOR CARRIERS, INC., a corporation,  
for a certificate of public conven-  
ience and necessity, authorizing an  
extension of its operating authority  
so as to authorize it to operate  
vessels in nonscheduled service as  
a common carrier of passengers  
between Long Beach, on the one hand,  
and, on the other, Avalon, Camp Fox  
and the Isthmus on Catalina Island.

Application No. 54499  
(Filed December 11, 1973)

O P I N I O N

Harbor Carriers, Inc. presently providing a scheduled service for the transportation of passengers and property as a common carrier by vessel between the Port of Long Beach and Avalon, Camp Fox, and the Isthmus, Santa Catalina Island, pursuant to Decision No. 81850 dated September 12, 1973 in Application No. 52863, requests in addition thereto, authority to provide nonscheduled service between said points.

Service would be provided by three vessels with capacities ranging from 149 to 700 passengers.

The proposed individual and group fares would be as provided in applicant's tariff. The proposed nonscheduled hourly rates would be as follows:

<u>Passenger Capacity</u>	<u>Charge per Hour (4-Hour Minimum)</u>
100-149	\$150
150-500	325
501-700	425

It is alleged that applicant has received numerous requests for nonscheduled service between the points involved; that use of

applicant's vessels in nonscheduled service will improve its financial results; and that applicant's fixed expenses for vessels and landing facilities will be spread over a greater volume of operations.

Copies of the application were served upon Catalina Motor Cruisers, Inc., H-10 Water Taxi Company, Ltd., the cities of Long Beach and Avalon, and upon the Board of Supervisors of Los Angeles County. No protest has been received.

After consideration the Commission finds and concludes that public convenience and necessity require the granting of the application. A public hearing is not necessary.

We find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment.

Harbor Carriers, Inc. is 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. 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. 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, to transport passengers between the points and over the routes particularly set forth in Appendices A and B attached hereto and made a part hereof.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service

regulations. Failure so to do may result in a cancellation of the authority.

- a. Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if it accepts the certificate it will be required, among other things, to comply with the insurance requirements of the Commission's General Order No. 111-Series.
- b. Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service 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 authorized service.
- 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-Series and 117-Series.
- 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. The certificate of public convenience and necessity granted in paragraph 1 of this order supersedes the certificate granted by Decision No. 79092 dated August 31, 1971 in Application No. 52621, Decision No. 79146 dated September 8, 1971 in Application No. 52621, Decision No. 81850 dated September 12, 1973 in Application No. 52863, and Decision No. 82039 dated October 24, 1973 in Application No. 54372, which certificates are hereby revoked, said revocation to become effective concurrently with the effective date of the tariff filings required by paragraph 1 hereof.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of MARCH, 1974.

William L. Shivers  
President  
William L. Shivers, Jr.  
J. H. Shivers  
Commissioners

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

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
SAN FRANCISCO BAY AREA OPERATIONS

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

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

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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 page.

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Issued under authority of Decision No. **82560**  
dated MAR 12, 1974 of the Public Utilities Commission  
of the State of California in Application No. 54499.

San Francisco Bay Area 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 Berkeley, on the one hand, and Angel Island State Park and Tiburon, on the other hand, subject to the following conditions:

SCHEDULED AND NONSCHEDULED SERVICEA. 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 forty or more adult 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 forty or more adult passengers during the period from September 11 through May 31 of each year.

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 forty or more adult passengers during the period from September 11 through May 31 of each year.

Issued by California Public Utilities Commission.

Decision No. 82560, Application No. 54499.

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 forty or more adult passengers from September 11 through May 31 of each year.

E. Berkeley - Angel Island State Park

Harbor Carriers, Inc. shall provide in its tariff and timetable for at least one trip per day each direction during the period between April 1 through October 31 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 75 or more adult passengers between the period November 1 through March 31 of each year, provided that service commences after 9 a.m. and terminates before 6 p.m. of the same day.

F. Berkeley - Tiburon

Harbor Carriers, Inc. shall provide in its tariff and timetable for at least one trip per day in each direction during the period from April 1 through October 31 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 75 or more adult passengers, between the period November 1 through March 31 of each year, provided that service commences after 9 a.m. and terminates before 6 p.m. of the same day.

Issued by California Public Utilities Commission.

Decision No. 82560, Application No. 54499.

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CERTIFICATE OF  
OF  
PUBLIC CONVENIENCE AND NECESSITY

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SAN PEDRO CHANNEL OPERATIONS

The certificate hereafter noted supersedes all operative authority heretofore granted to Harbor Carriers, Inc., or its predecessors concerning San Pedro Channel Operations.

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. 82560 dated  
MAR 12, 1974 of the Public Utilities Commission  
of the State of California on Application No. 54499.



San Pedro Channel Operations

Harbor Carriers, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to conduct common carrier services by vessel, as described below, for the transportation of passengers and their baggage:

I. Scheduled ServiceA. Between Port of Long Beach and Avalon.

Daily, throughout the year.

B. Between Port of Long Beach, on the one hand, and the following points in Santa Catalina Island, on the other hand:

1. Camp Fox either directly or via Avalon.
2. Isthmus either directly or via Avalon.

Restrictions, Limitations, and Specifications:

Service is authorized, subject to a minimum of 100 round trip fares, on a space-available basis upon seven days' prior notice to Harbor Carriers, Inc., on vessels operating on scheduled runs between the Port of Long Beach and Avalon.

II. Nonscheduled Service

Between Port of Long Beach, on the one hand, and the following points in Santa Catalina Island, on the other hand:

1. Avalon.
2. Camp Fox.
3. Isthmus.

Restrictions, Limitations, and Specifications:

Transportation of passengers and baggage shall not be conducted under this service unless prior arrangement based on hourly rates, with a four-hour minimum, has been made with the carrier.

Issued by California Public Utilities Commission.

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