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Decision No. 84003

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of AIR CREW TRANSIT, INC., a
corporation, for certificate of
public convenience and necessity
to operate, passenger, baggage,
express, between Oxnard, Thousand
Oaks, Westlake to Los Angeles
International Airport and return.

Application No. 55294
(Filed November 6, 1974)

INTERIM OPINION

Applicant Air Crew Transit, Inc. (ACT), a corporation, requests a certificate to operate as a passenger stage corporation between Oxnard, Thousand Oaks, Westlake, and the Los Angeles International Airport (LAX).

ACT's principal business is that of a charter-party carrier of passengers. It operates four 12-passenger 1974 Dodge Maxivans which it avers are available for use in the proposed operation. ACT proposes to operate five schedules a day each way between Oxnard and LAX with stops at Thousand Oaks, Westlake, the LAX Main Terminal, and the LAX hangar line and will operate an additional seven schedules a day each way between Thousand Oaks, Westlake, and the LAX Main Terminal and hangar line. Fares are anticipated to be \$9 one way to and from Oxnard, and \$6 to and from Thousand Oaks and Westlake. Special rates will be offered through the purchase of ticket books. As of September 30, 1974, ACT had a minus net worth of \$10,973 due mainly to a long-term note of \$35,800.

The application is accompanied by 28 letters from private persons and persons representing others in support of the application and of the need for the proposed service. The letters principally relate to the need for service to and from LAX as contrasted to a need for service between other points requested in the application.

The application was protested by Greyhound Lines-West which objected to any authorization of local service and by Employee Shuttle Service, Inc., which stated that it had passenger stage authority between Thousand Oaks and LAX but did not indicate such service was presently in operation.

After consideration the Commission finds that, subject to further consideration of evidence which may be adduced at a public hearing, public convenience and necessity require the granting of the application as hereinafter set out. The Commission further finds with reasonable certainty that the project involved in the application will not have a significant effect on the environment. The Commission concludes that the application should be granted on an interim basis to the extent set forth in the order which follows.

Air Crew Transit, 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.

INTERIM ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Air Crew Transit, Inc., a corporation, authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes set forth in Appendix A, 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 safety rules administered by the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-Series, and the insurance requirements of the Commission's General Order No. 101-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. 79-Series and 98-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 authority granted herein shall expire six months after the effective date of this order unless sooner canceled, modified, or extended.

4. A public hearing shall be scheduled in this proceeding for receipt of evidence on the application and full disposition thereof.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 21st
day of JANUARY, 1975.

William L. Stinson
President
William L. Stinson Jr.
William L. Stinson Jr.

Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

Showing passenger stage 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. 84003, dated JAN 21 1975, of the Public Utilities Commission of the State of California, in Application No. 55294.

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

Air Crew Transit, Inc., a corporation, by this certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers, baggage and express between Oxnard, Thousand Oaks, and the Westlake community, on the one hand, and Los Angeles International Airport main passenger terminal and hangar line area, on the other hand, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- (a) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) Only passengers destined to or originating at the Los Angeles International Airport main passenger terminal and hangar line area shall be transported, who also have destination or origin of trip westerly of the intersection of Westlake Boulevard and Townsgate Road.
- (d) Regular route service shall be conducted daily.
- (e) Service over Route 1 may be provided on an "on-call" basis.
- (f) The term "on-call" as used herein refers to service which is authorized to be rendered dependent upon the demands of passengers. Tariff and timetable shall show the condition under which each authorized "on-call" service will be rendered.
- (g) The transportation of baggage and express shall be on passenger-carrying vehicles and shall be incidental to the transportation of passengers and limited to a weight of not more than one hundred (100) pounds per shipment.

Issued by California Public Utilities Commission.

Decision No. 84003, Application No. 55294.

SECTION 2. ROUTE DESCRIPTIONS.

Route 1 - Oxnard

Commencing at Vineyard and Esplanade in Oxnard to Route 101 (Ventura Freeway) thence on Route 101 (Ventura Freeway) to Thousand Oaks at Moorpark Road.

Route 2 - Thousand Oaks, Westlake to Los Angeles International Airport

Commencing at Dupars Restaurant and Howard Johnson Motor Lodge in Thousand Oaks at Thousand Oaks Boulevard and Conejo Boulevard, thence on Thousand Oaks Boulevard, Moorpark Road, Route 101 (Ventura Freeway) to Westlake Boulevard and Townsgate Road in Westlake, thence return to Route 101 (Ventura Freeway), and via the most direct and appropriate freeways and streets to the Los Angeles International Airport main passenger terminal and the hangar line located at or near World Way West.

Route 2(a) - Alternate to Part of Route 2

Commencing from Westlake, at Westlake Boulevard and Townsgate Road, thence on Route 101 (Ventura Freeway) Las Virgenes Road, Pacific Coast Highway and over the most appropriate and direct streets and freeways to Los Angeles International Airport main passenger terminal and the hangar line located at or near World Way West.

Issued by California Public Utilities Commission.

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