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84684

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
JAMES H. SNIDOW and HOUSTON A. SNIDOW)
doing business as CATALINA WATER TAXI,)
for a Certificate of Public Con-)
venience and Necessity to operate)
passenger water taxi service between)
Avalon Bay and Long Point and inter-)
mediate points.)

Application No. 55588
(Filed March 27, 1975)

O P I N I O N

James H. Snidow and Houston A. Snidow, doing business as Catalina Water Taxi, request a certificate of public convenience and necessity as a vessel common carrier of passengers between anchored vessels in West and Main Harbors and shore, Avalon; and between Avalon and Long Point and intermediate points, Santa Catalina Island.

The application was filed pursuant to the "grandfather" clause of recent legislation which amended Sections 238 and 1007 of the Public Utilities Code and permits each corporation or person who owns or controls, and each corporation or person who operates, any watercraft propelled by steam, gas, fluid naphtha, electricity, or other motive power under the burden of 5 tons net register for the transportation of persons or property for compensation between points in this State, as of January 1, 1975, to apply to the Commission on or before April 1, 1975, for a certificate of public convenience and necessity for the type of service performed by the vessel and requires the Commission to issue such certificate without further proceedings.

Applicants currently operate a shore boat business in and about Avalon Harbor pursuant to a permit issued by the city of Avalon on September 18, 1974.

Applicants operate six diesel and one gasoline powered boats. All are 26-feet long and have a capacity of at least 35 passengers. The financial statement attached to the application indicates a net worth of \$30,790 as of December 31, 1974.

After consideration the Commission finds that public convenience and necessity require the granting of the application and with reasonable certainty finds that the project involved in this proceeding will not have a significant effect on the environment. A public hearing is not necessary.

Applicants are 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 James H. Snidow and Houston A. Snidow, doing business as Catalina Water Taxi, authorizing them to operate as a common carrier by vessel, as defined in Sections 211(b) and 238 of the Public Utilities Code, between the points set forth in Appendix A of this decision.

2. In providing service pursuant to the authority granted by this order, applicants shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

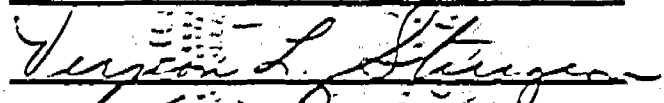

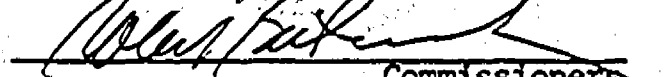
- (a) Within thirty days after the effective date of this order, applicants shall file a written acceptance of the certificate granted. Applicants are placed on notice that if they accept the certificate they will be required, among other things, to comply with the insurance requirements of the Commission's General Order No. 111-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicants 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) Applicants shall maintain their 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 their 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 22nd day of JULY, 1975.


President




Commissioners

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

DDM

Appendix A

JAMES H. SNIDOW AND ECUSTON A. SNIDOW
DEA
CATALINA WATER TAXI

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CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

Showing vessel common carrier 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. 84684,
dated JUL 22 1975, of the Public Utilities Commission
of the State of California, in Application No. 55588.

DDM

Appendix A

JAMES E. SNIDOW AND HOUSTON A. SNIDOW
DBA
CATALINA WATER TAXI

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

James A. Snidow and Houston A. Snidow, dba Catalina Water Taxi, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, are authorized to transport passengers between certain points on and along Santa Catalina Island described in Section 2, and subject to the following conditions:

- (1) Service shall be operated with vessels of less than five tons net register, only.
- (2) No vessel shall be operated unless it has met all applicable safety requirements including those of the United States Coast Guard.

Issued by California Public Utilities Commission.

Decision No. 84684, Application No. 55588.

DEM

Appendix A

JAMES H. SNIDOW AND HOUSTON A. SNIDOW

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DEA
CATALINA WATER TAXI

SECTION 2. AUTHORIZED OPERATIONS

1. Between Vessels and Shore

Between vessels anchored in West and Main Harbors, Avalon, Santa Catalina Island, on the one hand, and Catalina Island shore points described in Paragraph 2 below, on the other hand.

2. Between Avalon Harbors and Island Shore Points

Between West and Main Harbors, Avalon, Santa Catalina Island, on the one hand, and any point on Santa Catalina Island between Avalon Main Harbor on the east and Long Point on the west (including Avalon Main Harbor, West Harbor, Toyon Bay, Whites Landing, Long Point, and intermediate points), on the other hand.

Issued by California Public Utilities Commission.

Decision No. 84684 . Application No. 55588.