

Decision No. 84885

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of

AIRPORT TRANSPORTATION CO.  
dba AIRPORT LIMOUSINE  
(Monterey), a corporation,

for a Certificate of Public  
Convenience and Necessity to  
Operate as a Passenger Stage  
Corporation.

Application No. 55712  
(Filed May 29, 1975)

### O P I N I O N

Airport Transportation Co., doing business as Airport Limousine (Monterey), is a passenger stage corporation engaged in transporting passengers and their baggage between Monterey Peninsula Airport, on the one hand, and Carmel, Monterey, New Monterey, Pacific Grove, Presidio of Monterey, Seaside, Fort Ord, Salinas, Del Monte Forest, Del Rey Oaks, Esalen Institute, Highlands Inn, Quail Lodge, and intermediate points, on the other hand. It here seeks an enlargement of its certificate of public convenience and necessity to provide passenger stage service between Monterey Peninsula Airport and Carmel Valley Village and points intermediate thereto. Carmel Valley Village is approximately 10 miles beyond Quail Lodge, a point presently served by applicant.

Applicant entered into a lease and concession agreement with the Monterey Peninsula Airport District in November 1971 under which it has the exclusive right to operate a limousine-taxicab-bus concession on the premises of the airport for providing such services to passengers arriving at or departing from the airport. Under the terms of that agreement there is no other carrier that can perform the proposed service.

Applicant proposes to provide an on-call service, coordinated with its existing services to other points, the frequency of which will depend on arrivals and departures of aircraft at the airport, which arrivals and departures are not fully scheduled. It proposes to establish a one-way fare of \$4.00 per passenger subject to a minimum sale of four fares per trip.

We find that public convenience and necessity require the extension and enlargement of applicant's airporter service as proposed. We also find with reasonable certainty that this extension will not have a significant effect on the environment. A public hearing is not necessary. Appendix A of Decision No. 79874 should be further amended to provide for the proposed service to Carmel Valley Village and intermediate points.

Airport Transportation Co. 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 Airport Transportation Co., a corporation, authorizing it to extend its present operations as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, so as to transport passengers and their baggage arriving on or departing from airplanes which are operated to or from Monterey Peninsula Airport, on the one hand, and Carmel Valley Village and intermediate points, on the other hand.

2. Appendix A of Decision No. 79874 in Application No. 52866 is further amended by incorporating therein Second Revised Page 2 in revision of First Revised Page 2, which revised page is attached hereto and made a part hereof.

3. 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.

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- (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 10<sup>th</sup> day of SEPTEMBER, 1975.

  
President  
  
  
Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

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Appendix A  
(Dec. 79874)

AIRPORT TRANSPORTATION CO.  
(a corporation)

Second Revised Page 2  
Cancels  
First Revised Page 2

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

Airport Transportation Co., a corporation, is authorized to transport passengers and their baggage arriving or departing on airplanes which are operated to or from the Monterey Peninsula Airport 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) Applicant shall transport only passengers destined to or originating at the Monterey Peninsula Airport.

SECTION 2. ROUTE DESCRIPTION.

Route

\*Between Monterey Peninsula Airport, on the one hand, and Carmel, Monterey, New Monterey, Pacific Grove, Presidio of Monterey, Seaside, Fort Ord, Salinas, Del Monte Forest, Quail Lodge, Carmel Valley Village, Highlands Inn, Esalen Institute, and points intermediate thereto, on the other hand.

Issued by California Public Utilities Commission.

\*Amended by Decision No. 84885, Application No. 55712.