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Decision No. 85044

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
Frank A. Matranga, dba: Crown  
Limousine Service, for a certificate  
of public convenience and necessity  
for passenger stage service between  
the City of Glendale and the Los  
Angeles International Airport.

Application No. 55397  
(Filed December 19, 1974)

Russell & Schureman, by Christopher Ashworth,  
Attorney at Law, for Frank A. Matranga,  
applicant.

James H. Lyons, Attorney at Law, for Airport  
Service, Inc., protestant.

John deBrauwere, for the Commission staff.

### O P I N I O N

Frank A. Matranga, dba Crown Limousine Service (Crown), requests a certificate to operate as a passenger stage corporation between the Los Angeles International Airport (LAX) on the one hand, and on the other, the Golden Key Hotel (Golden Key) located in Glendale and the Safari Motel (Safari) located in Burbank. The application was protested by Airport Service (protestant). The matter was heard in Los Angeles on July 8, 1975 before Examiner Pilling and was submitted with the receipt of the transcript of record on September 2, 1975.

Crown presently operates as a charter-party carrier of passengers and is operating between the Golden Key and LAX as a passenger stage corporation on an interim basis under authority granted it in Decision No. 84270. In the conduct of the latter operation it uses two 12-passenger buses and has available to it two other buses

which it uses primarily in its charter-party operations. The witness for Crown testified that since the commencement of interim operations in April 1975 the passenger-load factor has increased from approximately three to slightly in excess of five passengers per day. Crown grossed \$4,360 from its interim operations for the three months ending June 1975 and \$6,100 from its charter-party operation during the same period. Crown's witness estimates that it had a net profit for the period of \$4,200 excluding drivers' wages. Crown's owner and his wife drive the vehicles and occasionally a retired relative drives without wages. As of June 30, 1975 Crown had a net worth of approximately \$70,000. Crown proposes to operate five round trips per day starting at 6:00 a.m. at the Golden Key and terminating there at 8:45 p.m. Monday through Friday. It will eliminate the weekend service which it is giving under its interim authority. Fares will be \$8. Crown does not care to haul general express shipments but does want authority to haul unaccompanied baggage as well as passengers and their baggage.

Witnesses Damian and Myers, representing the management of the Safari and Golden Key, testified that their hotels catered principally to out-of-town commercial guests who required transportation to and from LAX. Witness Damian testified that his hotel guests are largely employees of corporations who regularly send their employees to Burbank. He thinks that it will take three to six months to inform his guests on a word-of-mouth basis that regular transportation is available in lieu of taxicabs. Witness Myers also indicated that his hotel guests are largely out-of-town commercial travellers. Additionally, he thinks that a substantial portion of the people presently using the applicant's service are drawn from the Glendale community at large and are not just hotel guests. Both of the public witnesses foresee a long-range need for dependable regular service between their cities and LAX.

Protestant offers service between LAX and Pasadena which is the city adjacent to and east of Glendale. Its stops are approximately six miles from the Golden Key. Protestant states that service to and from an airport does not try to touch every street corner as does a transit system. In most cases persons are deposited at one location, such as downtown San Francisco, and passengers are left to their own devices to find their way from there. Protestant contends that it is absolutely impossible to serve every hotel and motel in the Greater Los Angeles area. Protestant feels that the granting of the within application may well detract from its Pasadena revenue and that, it is most unhealthy to the overall business of airport service to have people start up in the business only to fail for want of sufficient revenues.

Findings

1. Crown requests a certificate to operate as a passenger stage corporation between LAX on the one hand, and on the other, the Golden Key located in Glendale and the Safari located in Burbank.

2. Crown is ready, willing, and able to perform the service requested as described in the opinion.

3. While the volume of passengers transported by Crown during its operations under its interim certificate between LAX and the Golden Key is not great, the volume has shown an increasing trend which, coupled with the willingness of the two hotel keepers to advertise the service of this small carrier and their anticipation of the long-range use of the proposed service, evidences a need for the proposed service.

4. Protestant's closest stop to the Golden Key is six miles to the east in the city of Pasadena. Protestant's service, therefore,

caters to a population nucleus substantially removed from that to be served by Crown. While there may be some overlapping of peripheral territory, any loss of traffic by protestant should be minimal.

5. The projects involved in this application will not, with reasonable certainty, have a significant effect on the environment.

6. Public convenience and necessity require the proposed service.

Conclusion

The application should be granted.

Frank A. Matranga 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 Frank A. Matranga, authorizing him 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 of this decision.


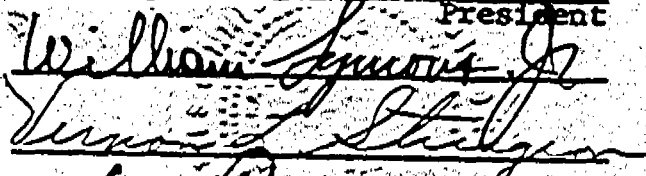
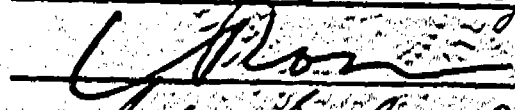
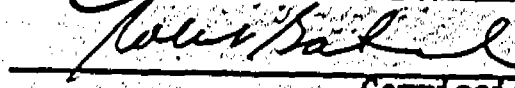
2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

- (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 he accepts the certificate he 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 his 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 his 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 shall supersede the certificate of public convenience and necessity granted by Decisions Nos. 84270 and 84847, which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b).

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

Dated at San Francisco, California, this 28th  
day of OCTOBER, 1975.

  
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President  
  
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Commissioners

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Appendix A

FRANK A. MATRANGA

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CROWN LIMOUSINE SERVICE

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY

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Showing passenger stage 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 pages.

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Issued under authority of Decision No. 85044  
dated OCT 28 1975 of the Public Utilities Commission  
of the State of California, in Application No. 55397.

Appendix A

FRANK A. MATRANGA  
dba  
CROWN LIMOUSINE SERVICE

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GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.

Frank A. Matranga, dba Crown Limousine Service, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to transport passengers and their baggage between Glendale, Burbank, on the one hand, and Los Angeles International Airport, on the other hand, over and along the most direct or reasonable route or routes subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provision:

Only passengers with origin or destination at Golden Key Motor Hotel in Glendale or the Safari Motor Hotel in Burbank on the one hand and Los Angeles International Airport on the other hand may be transported.

Issued by California Public Utilities Commission.

Decision No. 85044, Application No. 55397.