

Decision 84 03 029 March 7, 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of 24 Hour Airport Express, Inc.,)
a California corporation, for)
authority to operate as a)
passenger stage corporation)
between JOHN WAYNE AIRPORT, on the)
one hand, and MISSION VIEJO MALL,)
Mission Viejo; HOLIDAY INN and)
HYATT LODGE, Laguna Hills; TRAVEL)
LODGE, El Toro; IRVINE TRANSPOR-)
TATION CENTER and IRVINE MARRIOTT,)
Irvine; HOLIDAY INN, Costa Mesa;)
using radio-dispatched vans with)
a capacity not to exceed 15)
passengers.)

Application 83-11-02
(Filed November 1, 1983)

O P I N I O N

Applicant 24-Hour Airport Express, Inc., a California corporation, requests authority, under Public Utilities (PU) Code Section 1031, to establish and operate a passenger stage bus service for the transportation of passengers and baggage between John Wayne/Orange County Airport (SNA), on the one hand, and Mission Viejo Mall, Mission Viejo; Holiday Inn and Hyatt Lodge, Laguna Hills; Travel Lodge, El Toro; Irvine Transportation Center and Irvine Marriott, Irvine; and Holiday Inn, Costa Mesa, on the other hand, as a supplement to its present certificated service. ✓

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on November 7, 1983. In addition, notice of the filing was served by applicant upon all government agencies within whose boundaries passengers will be loaded and unloaded. There have been no protests to the application.

Applicant has been providing door-to-door transportation between major airports in Southern California, on the one hand, and residences and businesses from within its certificated area in the counties of Los Angeles, Orange, and part of San Bernardino, on the other hand, since it was granted authority in Decision (D.) 89074 dated July 11, 1978. In D.82-03-029, D.82-06-090, D.83-07-041, and D.83-10-083 applicant was granted authority by this Commission to establish eight regular routes with regular points of departure and destination and regularly scheduled times of departure and arrival. Those decisions authorized applicant authority to pick up and transport passengers between specified pickup points in Orange County and Los Angeles International Airport (LAX) as well as direct nonstop service only between LAX and SNA (Route 8). The current application seeks authority to pick up and drop off passengers between the currently authorized pickup points on Route 8, on the one hand, and SNA, on the other hand. As with applicant's existing service, the additional service contemplated in this application would be strictly on a reservation basis. The proposed fares for the transportation to and from the existing pickup points on Route 8 and SNA are set forth in Exhibit B to the application.

Applicant alleges that it gets calls from businesses, residences, hotels, and travel agencies to provide the transportation services proposed in this application. Applicant further alleges that by providing convenient collection points immediately adjacent to the San Diego Freeway serving SNA, on a reservation basis, applicant will supply an optional service not available from any other carrier. According to applicant, the proposed service will complement its present "door-to-airport-to-door" shuttle service with the efficiencies of multiloading presently inherent in its operation.

Since the proposed service will reduce airport and roadway congestion and reduce expense to the public, applicant submits that its proposed service is clearly in the public interest and that public convenience and necessity would be served by the granting of the application. Applicant also alleges that the proposed additional service will have no significant effect on the environment.

Applicant's current financial statement as of June 30, 1983 shows total assets of \$295,760.39 with total liabilities of \$234,639.87. The annual profit and loss statement for year ending June 30, 1983 shows a net profit of \$67,545.02.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. There is currently little or no service between the points proposed by applicant.
3. Public convenience and necessity require the service proposed by applicant.
4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
5. The rates proposed in the application are reasonable.
6. A public hearing is not necessary.

Conclusion of Law

Public convenience and necessity have been demonstrated and a certificate should be granted to applicant.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to 24-Hour Airport Express, Inc., a corporation, authorizing it to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in the attached revised pages of Appendix A of D.89074, to transport persons and baggage. ✓

2. Applicant shall: ✓

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. State in its tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

3. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by both this Commission and the airport authority involved.

4. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to the applicant that it has evidence of insurance on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

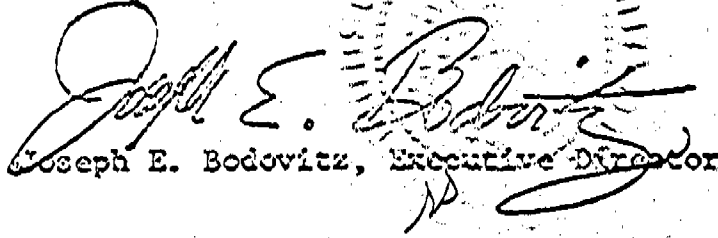
This order becomes effective 30 days from today.

Dated MAR 7 1984, at San Francisco, California.

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

Commissioner Leonard M. Grimes, Jr.,
being necessarily absent, did not
participate.

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director

Appendix A
(D.89074)

24-HOUR AIRPORT EXPRESS, INC.
(PSC-1043)

Fourth Revised Page 3
Cancels
Third Revised Page 3

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS. (Continued)

- (c) 24-Hour Airport Express, Inc. shall not spot any vehicle at an airport or at an off-airport bus stop of Airport Service, Inc., or AirportTransit, Inc., or successor entities, for the purpose of waiting for radio calls to pick up passengers.
- (d) No passenger shall be transported except those having origin or destination at one of the five airports identified above.
- (e) Service shall be rendered via direct route from the point of origin to the point of destination of a passenger, except that when more than one passenger is to be transported in a single vehicle, service shall be rendered by the most direct routings possible, taking into consideration the various points of origin and destination of the several passengers.
- (f) 24-Hour Airport Express, Inc. shall have discretion in choosing routings and order of origins and destinations, based upon the above considerations.
- (g) The tariffs and timetables shall show the conditions under which each authorized on-call and scheduled service will be rendered.
- (h) This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.
- #(i) On Route 8, passengers may be transported between each point listed and SNA.

Issued by California Public Utilities Commission.

Added by Decision 84 03 029, Application 83-11-02.

SECTION 3. ROUTE DESCRIPTIONS. (Continued)

Route 7 - Seal Beach/Long Beach-LAX

Beginning at the Leisure World in Seal Beach then via Long Beach Freeway (Rte. 7) and San Diego Freeway (I-405) to LAX with the following Long Beach stops: Holiday Inn, Breaker's Hotel, Hyatt Regency, the Queensway Bay Hilton, and RMS Queen Mary.

Route 8 - Mission Viejo-LAX

Beginning at the Mission Viejo Mall, in Mission Viejo, then via the San Diego Freeway (I-405) to LAX with stops at Holiday Inn and Hyatt Lodge, Laguna Hills; Travel Lodge, El Toro; Irvine Transportation Center, and Irvine Marriott Hotel, Irvine; SNA; and the Holiday Inn, Costa Mesa.

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