

ORIGINAL

Decision 84 04 031

APR 4 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of ARTHUR A. MOOREFIELD, dba,)
SUNWORLD AIRPORT VAN SERVICE, to)
add certain points of origin and)
destinations with respect to the)
passenger stage corporation busi-)
ness currently operated under)
authority of Decision No. 82-12-085.)

Application 83-09-53
(Filed September 19, 1983)

O P I N I O N

Applicant Arthur A. Moorefield (Moorefield), dba Sunworld Airport Van Service, requests authority to add certain points of origin and destination to his existing passenger stage authority under PSC-1141. Specifically, Moorefield seeks to add all points in San Bernardino County not currently served and all points in Riverside County. In addition, Moorefield seeks new points of origin/destination at hotels and motels within a five-mile radius of Los Angeles International Airport (LAX), Long Beach Airport, and Glendale/Pasadena/Burbank Airport. Upon approval of the proposed new points of origin/destination, Moorefield will offer passenger service between points in the general area of San Bernardino (including all of San Bernardino and Riverside Counties), on the one hand, and the various airports, hotels, motels, and piers, on the other hand.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar on September 23, 1983. In addition, copies of the application were mailed to all local governments and government agencies within whose boundaries passengers will be loaded or unloaded. On October 21, 1983 and again on October 31, 1983 written communication was received from a potential protestant requesting an extension of time within which to file a protest in the matter during which time clarification of the application could be sought from applicant. The extension was granted.

On December 1, 1983 a letter was received bearing the signatures of counsel for Moorefield and counsel for Desert Stage Lines, Inc., the potential protestant. The letter was accompanied by a stipulation in which the parties agreed that any certificate granted to Moorefield resulting from this application should contain the following restriction:

"There shall be excluded from the area to be served all that area in San Bernardino County which lies within five (5) miles on either side of Highway 62, and there shall also be excluded therefrom the Twentynine Palms Marine Corps Base."

In the letter it is stated that at the time of filing the application, Moorefield had no intention of serving what is commonly referred to as the High Desert area, which is the area excluded by the stipulation, and that Moorefield's description of "all of San Bernardino County" as the origin/destination points was for convenience only. The letter states that for Moorefield to serve the stipulated excluded High Desert area at the present time would constitute a waste of fuel insofar as the High Desert area is presently served by a number of carriers located in the

Twentynine Palms area. In addition, to serve the High Desert area Moorefield would have to enter the area from his base in San Bernardino by way of Highway 62, the only ingress and egress to the area, and return over the same route. On the basis of the above stipulation, Desert Stage Lines, Inc. states it has no further interest in this application. Applicant is placed on notice that he may apply at any time in the future to have the above restriction lifted upon filing a new application and a showing of good cause.

Applicant currently holds passenger stage authority as granted in Decision 82-12-085 dated December 12, 1982. This decision authorizes applicant to conduct transportation services between certain points in the San Bernardino area (Cities of Bloomington, Colton, Fontana, Loma Linda, Redlands, Rialto, and San Bernardino, and the unincorporated area of Highland, all in San Bernardino County), on the one hand, and Ontario International Airport, LAX, John Wayne Airport, Palm Springs Airport, and the Los Angeles and Long Beach Harbors, on the other hand. Such service operates on an on-call basis, 24 hours per day, seven days per week. The application seeks to add certain points of origin and destination, as indicated in Exhibit B of the application, to the passenger stage authority currently held by Moorefield.

The fares proposed to be charged for the service under the requested authority are described in Exhibit B of the application with fares ranging from a low of \$9 to a high of \$197 for one to three persons in the same party, with the actual rates dependent upon point of origin and point of destination. Moorefield intends to continue providing on-call, door-to-door service, 24 hours per day, seven days per week, upon the same terms and conditions as existing service.

Applicant alleges that the proposed additional service is required by public convenience and necessity because there is no passenger stage service offering similar service at a competitive cost. Applicant currently operates four vans and one station wagon in its service and has placed orders for two new 10-passenger Ford vans which will be used in the proposed new service. The financial statement contained in the application shows a net worth of \$324,987.

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 similar to that proposed by applicant between the proposed service areas and the southern California air terminals.
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. Applicant has agreed that any certificate granted to him as a result of this application shall contain the restriction indicated in this opinion.
6. The rates proposed in the application are reasonable.
7. A public hearing is not necessary.

Conclusion of Law

Public convenience and necessity have been demonstrated and the application should be granted.

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 Arthur A. Moorefield authorizing him to extend his operations as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in the attached Appendix PSC-1141, to transport persons and baggage.
2. There shall be excluded from the area to be served all that area in San Bernardino County which lies within 5 miles on either side of Highway 62, and there shall also be excluded therefrom the Twentynine Palms Marine Corps Base.
3. 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 his 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, 104, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

4. 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.

5. The misspelled word "serveral" on Original Page 3 of the certificate is corrected to "several" on First Revised Page 3. The words "shall be" are added to SECTION 2 on Original Page 5 to make a complete sentence on First Revised Page 4, which replaces Original Page 5, which is no longer needed and is cancelled.

This order becomes effective 30 days from today.

Dated APR 4 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

Commissioner William T. Bagley
being necessarily absent, did
not participate.

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

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Joseph E. Bodovitz, Executive Director

T/ctb/ra

Appendix PSC-1141

ARTHUR A. MOOREFIELD

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CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-1141

Showing passenger stage operative rights, restrictions,
limitations, exceptions, and privileges.

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.

Supercedes authority granted in Application 60852
Decision 93870 dated December 15, 1981.

Revised under authority of Decision 84 04 031, dated APR 4 1984,
of the Public Utilities Commission of the State of California in
Application 83-09-53.

T/ctb/ra

Appendix PSC-1141

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*Revised by California Public Utilities Commission.

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

Arthur A. Moorefield, 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 only, in either direction between all* points in San Bernardino County and Riverside County*, on the one hand, and Ontario International Airport (ONT), Los Angeles International Airport (LAX), John Wayne Airport (SNA), Palm Springs Airport (PSP), Long Beach Airport (LGB)*, Burbank Airport (BUR)*, hotels and motels within a five-mile radius of LAX*, and the Los Angeles and Long Beach Harbors, on the other hand, subject to the following provisions:

- a. The service shall be door-to-door, on-call, 24 hours per day, seven days per week.
- b. The term "on-call" as used refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.
- c. The service shall be provided in vehicles with seating capacity of fifteen passengers or less, including the driver.

EXCEPT: Service to LAX and the Los Angeles and Long Beach Harbors may be provided utilizing vehicles with a seating capacity of 35 passengers or less, including driver.

*Added by California Public Utilities Commission.

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

- d. When route descriptions are given in one direction, they apply to operations in either direction.
- e. Service shall be rendered via a direct route from the point of origin to the point of destination, 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 or destination of the several* passengers.
- f.** There shall be excluded from the area to be served all that area in San Bernardino County which lies within five (5) miles on either side of Highway 62, and there shall also be excluded therefrom the Twentynine Palms Marine Corps Base.

*Revised by ** Added by California Public Utilities Commission.

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T/ctb/ra

Appendix PSC-1141

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SECTION 2*. ROUTE DESCRIPTION.

Service between any point within San Bernardino County and Riverside County*, on the one hand, and ONT, LAX, PSP, SNA, LGB, BUR, hotels and motels within a five-mile radius of LAX*, or the Los Angeles and Long Beach Harbors, on the other hand, shall be* over the most convenient routes.

*Revised by California Public Utilities Commission.

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