

Decision S4 05-035 May 2, 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
David Munoz doing business as)
Whippet Charter Services to transfer)
a Certificate of Public Convenience)
and Necessity to Homer W. Price)
who will continue to provide service)
as C.V. Commute Service.)

Application 83-12-08
(Filed December 5, 1983)

O P I N I O N

Applicants have applied for authority to transfer a day shift home-to-work route from David Munoz (PSC-910) to Homer W. Price (PSC-1138). The proposed transfer involves a route between Dublin and the United Airlines Maintenance Base at San Francisco Airport. David Munoz was granted the route in Decision 85057 in Case 9725. Both applicants have agreed that the sole payment arising from the transfer will be that Homer W. Price will pay transfer fees.

In addition to the requested route transfer, Homer W. Price requests authority to restructure his present authority (granted in Decision 92285, dated October 8, 1980 in Application 59808) to absorb the proposed transferred route and meet his passengers' current needs.

The applicants state the transfer and route restructure is necessary for a viable service because of reduced ridership from the Dublin and Castro Valley/Hayward Area.

Notice of the filing of this application appeared on the Daily Transportation Calendar on December 12, 1983. There were no protests.

Findings of Fact

1. Homer W. Price has the ability, experience, equipment, and financial resources to perform the proposed service.
2. The transfer will not be adverse to the public interest.
3. A public hearing is not be necessary.
4. The authority held by David Munoz will be revoked on the date the new tariffs become effective and a new certificate issued to Homer W. Price.
5. This order should be effective on the date signed to facilitate the continuation of these needed passenger stage services without interruption.

Conclusion of Law

The proposed transfer is in the public interest and should be authorized. A public hearing is not necessary.

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. David Munoz may transfer the operative rights specified in the application to Homer W. Price.
2. Transferee shall:
 - a. File with the Transportation Division written acceptance of the certificate and a copy of the transfer document within 30 days after transfer.
 - b. Amend or reissue sellers' tariffs and timetables, state in them when the service will start, make them effective 10 or more days after this order is effective, and allow at least 10 days' notice to the Commission.
 - c. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.

- d. File an annual report of sellers' operations of the route being transferred for the period from the first day of the current year to the date of transfer.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to Homer W. Price, an individual, authorizing him to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in First Revised Title Pages 1 and 2 of Appendix PSC-1138, to transport passengers and baggage.

4. The certificate of public convenience and necessity granted by D.85057 for service between Dublin and United Airlines Maintenance Base at San Francisco Airport is revoked on the effective date of the tariffs.

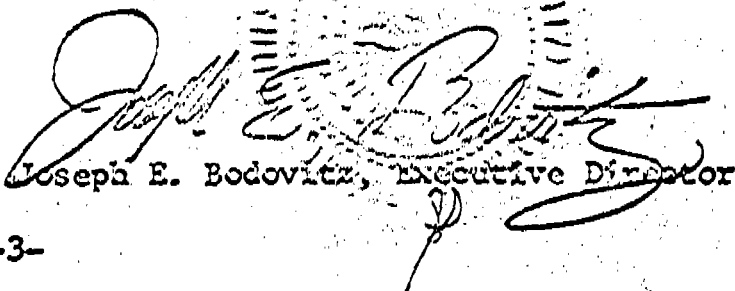
5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport involved.

This order is effective today.

Dated MAY 2 1984 , at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director

Appendix PSC-1138

HOMER W. PRICE

First Revised Title Page
Cancels
Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-1138

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.

Issued under authorities of Decision 84 05 035, dated MAY 2 1984,
of the Public Utilities Commission of the State of California,
in Application 83-12-08.

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

Homer W. Price by the Certificate of Public Convenience and necessity granted by the decision listed in the margin, is authorized to operate as a Passenger Stage Corporation to transport passengers between points in Castro Valley and Hayward on the one hand, and the United Airlines Maintenance Base at the San Francisco International Airport on the other hand, subject, however, to the authority of this Commission to change or modify said authority at any time and subject to the following provisions:

- a. All transportation of passengers shall originate at the pickup points hereinafter specified, on the one hand and shall be destined to the United Airlines Maintenance Base at the San Francisco International Airport on the other hand, or the reverse.
- b. 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.
- c. When route descriptions are given in one direction unless otherwise indicated.

Issued by California Public Utilities Commission.

Decision 84 05 035, Application 83-12-08.

SECTION 2. ROUTE DESCRIPTIONS.

Route 1. Dublin - United Airlines

Commencing with service points from the following locations:

- . Dublin - Dublin Blvd. & Regional Street
- . Castro Valley - Grove Way & Center Street
- . San Leandro - Hesperian Blvd. & Lewelling Blvd.
- . Hayward - Hesperian Blvd. & Depot Road

Then via the most appropriate streets and highways to a service point at United Airlines Maintenance Base, San Francisco International Airport.

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