

ORIGINAL

Decision 84 07 145

JUL 18 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of MORTON E. MC CARTHY, dba MORT'S)	
LIMO SERVICE for authority to)	Application 84-04-134
operate as a passenger stage)	(Filed April 27, 1984)
proprietorship between points in)	
Los Angeles County and the Burbank)	
Airport.)	
_____)	

O P I N I O N

Applicant Morton E. McCarthy seeks a certificate of public convenience and necessity to operate as a passenger stage corporation to transport passengers and their baggage between three specified hotels in the Cities of Glendale and Pasadena, on the one hand, and the Burbank-Glendale-Pasadena Airport located in Burbank, California, on the other hand. Applicant proposes to operate service on a regularly scheduled basis using one 1981 Dodge van and one 1978 Mercury station wagon.

Notice of filing of the application appeared in the Commission's Daily Transportation Calendar dated May 3, 1984. In addition, copies of the application were served upon government agencies within the proposed service areas. No protests to the application have been received.

Applicant currently operates a limousine service pursuant to authority granted by this Commission under Public Utilities (PU) Code Section 5384(b). Applicant proposes to perform regularly scheduled service on a seven-day per week basis for passengers originating at or destined to Burbank

Airport only. Applicant intends to operate his scheduled service between Burbank Airport and the Glendale Holiday Inn in Glendale, and the Pasadena Hilton and Huntington Sheraton Hotels in Pasadena. The proposed adult fare from the Holiday Inn is \$5, \$7 from the Huntington Sheraton Hotel, and \$6 from the Pasadena Hilton. Children 6 years to 12 years will be carried at one-half the adult fares.

Applicant alleges the proposed service will not have a detrimental environmental impact since the availability of this service will be a benefit to the environment and to the public by resultant reduction of privately operated vehicles between the points to be served. Applicant further alleges that the services offered are different and distinct from any public transportation system currently being offered to the public in the proposed areas.

The financial statement contained in the application shows that as of January 31, 1984, applicant had total assets of \$93,702.28 with total liabilities of \$15,046.20.

Findings of Fact

1. Applicant has the ability, experience, and financial resources to perform the proposed service.
2. Applicant, who already possesses a Class B permit in connection with his limousine service, intends to use a van and a station wagon for the proposed service to transport those persons who either do not require or do not wish to pay for luxury limousine service but still require dependable transportation service to and from the Burbank Airport.
3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

4. No protests to the application have been received.

Conclusions of Law

1. A public hearing is not necessary.
2. Public convenience and necessity require that the requested authority should be issued.
3. In order that the needed service may commence as soon as possible, this order should be effective on the date of issuance.

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 Morton E. McCarthy authorizing him to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1354, 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 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, and 104, and the California Highway Patrol safety rules.

A.84-04-134 ALJ/bg

- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. Prior to initiating service to any airport, applicant shall notify the airport authority involved. 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 applicant that he 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.

5. The application is granted as set forth above.

This order is effective today.

Dated JUL 18 1984, at San Francisco, California.

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

I CERTIFY THAT THIS DECISION
WAS ADOPTED BY THE ABOVE
COMMISSIONERS VOTING.


Joseph E. Boaswick, Executive Director

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION

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 authority of Decision 84 07 145, dated
JUL 18 1984, of the Public Utilities Commission of the
State of California in Application 84-04-134.

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Issued by California Public Utilities Commission.

Decision 84 07 145, Application 84-04-134.

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

Morton E. McCarthy, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and baggage between certain points in the Cities of Glendale and Pasadena, on the one hand, and the Burbank-Glendale-Pasadena Airport (BNK) located in Burbank, on the other hand, over and along the routes described, subject, however, to the authority of this Commission to change or modify the 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. Service shall be rendered on a regularly scheduled basis.
- d. No passengers shall be transported except those having point of origin or destination at BNK.
- e. 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.

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SECTION 2. ROUTE DESCRIPTIONS.

Commencing at BNK then over and along the most convenient streets and highways to the points listed in Section 3.

SECTION 3. AUTHORIZED SERVICE POINTS.

1. Glendale Holiday Inn, 600 N. Pacific Avenue, Glendale.
2. Pasadena Hilton, 150 S. Los Robles Avenue, Pasadena.
3. Huntington Sheraton Hotel, 1401 S. Oak Knoll Avenue, Pasadena.