

ALJ/bg

Decision 84 OS 107

AUG 1 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The Application of John F. Burroughs,)
dba Visalia-Fresno Limousine Service)
for certificate of public convenience)
to operate between Visalia and Fresno,)
CA and intermediate points.)

Application 84-04-017
(Filed April 3, 1984)

O P I N I O N

Applicant John F. Burroughs has requested a certificate of public convenience and necessity as a passenger stage corporation for the transportation of passengers and their baggage on an on-call basis between Visalia and the Fresno Air Terminal. No service will be provided between intermediate points. Service will be provided with a new 1984 Dodge Maxi-van, seating 14 passengers and a driver.

Fares will be \$18 for one-way transportation and \$35 for a round trip. Children under six years of age will ride free; those six years and older will be charged the adult fare. Each passenger will be allowed two regular suitcases at no extra charge. Excess baggage will be carried on a space available basis at \$5 per item. Reservations must be made at least three hours prior to pickup, except for night service, which must be requested prior to 6:00 p.m.

Applicant's financial statement dated March 1, 1984 shows assets of \$144,000 and liabilities of \$31,000, with a net worth of \$113,000.

Applicant alleges that no other transportation is available between the points to be served in the proposed operation. It is further alleged that travel agents and business organizations have demonstrated a need for the service to be provided by applicant. Applicant states that granting this application will not create a conflict with any existing passenger service.

Notice of the filing of this application was listed in the Commission's Daily Transportation Calendar on April 9, 1984. There have been no protests or requests for hearing.

Findings of Fact

1. The passenger stage service proposed herein is not available at the present time.
2. Applicant possesses the ability, experience, equipment, and financial resources needed to perform the aforesaid service.
3. Public convenience and necessity require that the service proposed by applicant be established.
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. A public hearing is not necessary.

Conclusions of Law

1. The application should be granted.
2. The decision should be made effective on the date it is signed to allow applicant to initiate service during the late summer. 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 John F. Burroughs, 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-1349, 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.
- 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 August 1, 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
DONALD VIAL
Commissioners

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

Commissioner Priscilla C. Grew,
being necessarily absent, did not
participate.

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

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-1349

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 84-08-107, dated
August 1, 1984, of the Public Utilities Commission of the
State of California, in Application 84-04-017. ✓

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

John F. Burroughs, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to operate as a passenger stage corporation to transport passengers and baggage on an "on-call" basis between Visalia and Fresno Air Terminal, over & along the routes described, in Section 2, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. 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.
- b. Daily service shall be provided, including weekdays, weekends, and holidays.
- c. Passengers may be picked up or dropped off within the city limits of Visalia only and transported to or from the Fresno Air Terminal with no intermediate stops.
- d. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.

Issued by California Public Utilities Commission.

Decision 84-08-107, Application 84-04-017. ✓

SECTION 2. ROUTE DESCRIPTIONS.

Service shall originate from the Fresno Air Terminal & terminate within the city limits of Visalia.

- 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.
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