

ORIGINAL

Decision 84 OS 113

AUG 1 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Airporter Express, for authority to
operate as a passenger stage
corporation between points in Contra
Costa and Alameda counties and the
Oakland International Airport and
San Francisco International Airport.

Application 84-05-081
(Filed May 18, 1984)

O P I N I O N

Applicant John Berube is an individual, doing business as Airporter Express. His terminal is in San Ramon (Contra Costa County). Applicant will provide a 6-day a week service between San Ramon (Contra Costa County) and Dublin (Alameda County), on the one hand, and the Oakland and San Francisco International Airports, on the other hand. Fares to and from Oakland Airport are \$10 for adults and \$5 for children (6 to 12 years); fares to and from San Francisco Airport are \$13 and \$6, respectively. Passengers will not be picked up at or transported between intermediate points. Service will be provided with one 8-passenger van and one 12-passenger van. Both vehicles have luxury options, with air conditioning, automatic transmission, heavy duty suspension, and radios.

The financial statement dated May 18, 1984 shows assets of \$119,000 and monthly liabilities of \$1,735. Applicant has \$50,000 in cash, which will finance the proposed operation.

Applicant alleges that he will service one of the fastest growing commercial areas in the country. Chevron has a headquarters there, along with Pacific Bell, Toyota, and many others. It is estimated that the population will increase from 26,000 to 80,000 by July 1987. It is further alleged that to applicant's knowledge, no equivalent service has ever been provided out of Dublin and San Ramon.

Notice of the filing of this application was listed in the Commission's Daily Transportation Calendar on May 25, 1984. There have been no protests or requests for hearing.

Findings of Fact

1. The passenger stage service proposed here 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. Notice of this matter did not appear on our public agenda as required by the Government Code; however, an emergency exists sufficient to justify our action today under Public Utilities Code § 306(b).

Conclusions of Law

1. The application should be granted.
 2. The order should be effective on the date it is signed to allow applicant to initiate service during the summer months.
- 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 Berube, an individual, 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-1362, 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 AUG 1 1984, at San Francisco, California.

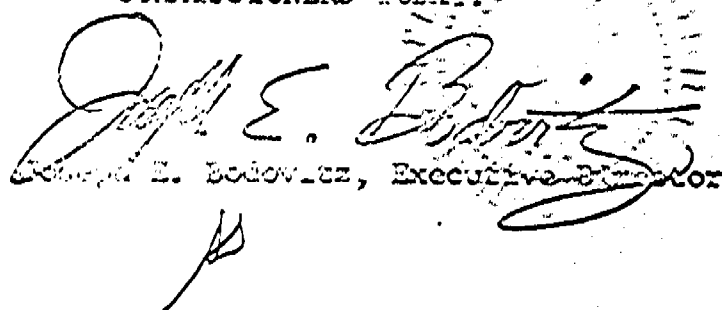
Commissioner Priscilla C. Grew,
being necessarily absent, did
not participate

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
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.


Joseph E. Bodovick, Executive Director

T/bcy

Appendix PSC-1362

JOHN BERUBE

Original Title Page

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 08 113, dated
AUG 1 1984, of the Public Utilities Commission of the
State of California in Application 84-05-081.

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

John Berube, 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 San Ramon and Dublin, on the one hand, and San Francisco International Airport (SFO) and Oakland International Airport (OAK), 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 SFO or OAK.
- 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.

Issued by California Public Utilities Commission.

Decision 84 GS 113, Application 84-05-081.

SECTION 2. ROUTE DESCRIPTIONS.

Route 1 - SFO

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

Route 2 - OAK

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

SECTION 3. AUTHORIZED SERVICE POINTS.

1. Garcia's Restaurant, corner of Crow Canyon Rd. and San Ramon Valley Blvd, in San Ramon.
2. Howard Johnson's, corner of Regional Street and Dublin Blvd, in Dublin.

Issued by California Public Utilities Commission.

Decision 84 CS 113, Application 84-05-081.

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