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Decision 84 C9 043 SEP 6 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
ABIA, INC., for a Certificate of)
Public Convenience and Necessity to)
institute operations as a Passenger)
Stage Corporation.)

Application 84-03-16
(Filed March 5, 1984)

O P I N I O N

Applicant ABIA, Inc. is a California corporation with its main office in Monterey Park. Its Articles of Incorporation are on file with Charter-Party Carrier Permit TCP-2314-P.

Applicant has applied for authority to provide a passenger stage service between all points in Orange County, and all points in Los Angeles County in an area bounded by the Los Angeles County Line on the east, 210 Freeway on the north, 11 Freeway on the west, and Highway 1, which becomes Pacific Coast Highway, to the ocean, to the south. Service will include pickups and drop-offs at any point within the territories described above, including residences, business establishments, hotels, and motels. This service includes transportation from points previously described to the Los Angeles International Airport, Long Beach Municipal Airport, John Wayne Airport, Ontario Airport, and Burbank Airport (Los Angeles County only), also to the docks and piers at Los Angeles and Long Beach Harbors.

A protest was filed by 24-Hour Express, Inc., and a public hearing was scheduled in Los Angeles. The protest was withdrawn on June 5, 1984.

Applicant owns one 10-passenger and three 7-passenger vans. Additional vehicles will be obtained as required. All

vehicles will be new, with deluxe options, including two-way radios. Applicant will be operating from a terminal in Cerritos (Los Angeles County).

Applicant will operate on a 24-hour day, 7-days-a-week basis. Pickups between 11:00 p.m. and 5:00 a.m. will carry a \$12 surcharge. Applicant's fare structure is extensive and lists most points of pickup. Up to three persons will be transported for the basic fare. Service will be reserved in advance normally, although extra passengers will be transported if space is available. Round trips will be encouraged and courtesy telephones will be installed in major airline terminals. It is alleged that applicant's charter customers requested the service to be authorized and that the same type of service has been suggested by motels and travel agents.

Applicant's financial statement dated September 30, 1983, shows assets of \$62,159 and liabilities of \$57,159, with a net worth of \$5,000.

Applicant alleges that transportation available to the public does not have the variety or convenience of the proposed service.

Notice of the filing of this application was listed in the Commission's Daily Calendar for March 9, 1984. One protest was filed and withdrawn as previously stated.

Findings of Fact

1. The passenger stage service proposed herein is not available at the present time.
2. Applicant has 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 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 ABIA, Inc., a corporation, authorizing it 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-1356, to transport passengers and their 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 its 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 it 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.

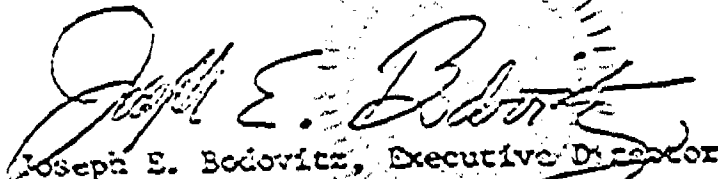
5. The application is granted as set forth above.

This order is effective today.

Dated SEP 6 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

T/bcy

Appendix PSC-1356

ABIA, INC.

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-1356

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 C9 043, dated
SEP 6 1984, of the Public Utilities Commission of the
State of California, in Application 84-03-16.

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

ABIA, Inc., 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 baggage between all points in Orange County and all points in a designated area in Los Angeles County as described in Section II, on the one hand, and Los Angeles International Airport (LAX), Long Beach Municipal Airport (LGB), John Wayne Airport, Ontario International Airport, Burbank Airport (from Los Angeles County only), and docks and piers at Los Angeles and Long Beach Harbors, 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. Service shall be operated on an "on-call" basis. 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. Service is on a 24-hour per day, seven-day per week basis.

Issued by California Public Utilities Commission.

Decision 84 09 042, Application 84-03-16.

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

- d. Only passengers originating at or destined to Los Angeles International Airport, Long Beach Municipal Airport, John Wayne Airport, Ontario International Airport, Burbank Airport, and docks and piers at Los Angeles and Long Beach Harbors shall be transported.
- e. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- f. Service shall be rendered via direct route from the point of origin to the point of destination of a passenger, 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 and destination of the several passengers.
- g. No passenger shall be picked up at an off-airport bus stop of Airport Service, Incorporated, unless a reservation has been made at least one-half hour in advance.
- h. 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 authority involved.

Issued by California Public Utilities Commission.

Decision 84 C9 043, Application 84-03-16.

SECTION II. SERVICE AREAS.

Passengers may be picked up and discharged at any point within the following described areas, subject to local traffic regulations:

1. Orange County - Area bounded by the county lines.
2. Los Angeles County - Area bounded by the county line on the east, 210 Freeway on the north, 11 Freeway on the west, south along 11 Freeway to intersection with 5 Freeway, south along 5 Freeway to 7 Freeway, along 7 Freeway to intersection of 405 Freeway, west along 405 Freeway to intersection of 11 (Harbor Freeway), south along 11 Freeway to intersection of Highway 1, west along Highway 1 to the ocean.

Issued by California Public Utilities Commission.

Decision 84 09 043, Application 84-03-16.

SECTION III. ROUTE DESCRIPTIONS.

Service shall commence from any point within the service areas described in Section II, then via the most direct routings possible to any of the following destination points:

1. Los Angeles International Airport
2. Long Beach Municipal Airport
3. John Wayne Airport
4. Ontario International Airport
5. Burbank Airport (Los Angeles County only)
6. Docks and piers at Los Angeles Harbor
7. Docks and piers at Long Beach Harbor