

Decision 88 02 018

FEB 10 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Robert Edgar Dietrich, DBA Rancho )  
Limousine and the Airport Express )  
to operate as a Passenger Stage )  
Corporation between points within )  
San Diego County and the San Diego )  
International Airport, also known )  
as Lindberg Field. )

Application 87-09-017  
(Filed September 10, 1987)

ORIGINAL

OPINION

Robert E. Dietrich, an individual doing business as Rancho Limousine and as The Airport Express, seeks authority under Public Utilities (PU) Code Section 1031 to operate as a passenger stage corporation, as defined in PU Code Section 226, between points within San Diego County and the San Diego International Airport, also known as Lindberg Field.

In support of its request, applicant provides the following information:

He proposes to transport on-call passengers door-to-door from North San Diego County communities adjacent to Interstate 15 on the east, California State Highway 78 on the north, and Interstate 5 on the west. The communities of Del Mar and Rancho Penasquitos are the proposed southern boundaries for service. No service is proposed for the City of San Diego metropolitan area.

Applicant's balance sheet for June 1987, shows equity of \$30,918, including \$6,432 cash in bank and \$130,092 total assets.

Need for the service is set forth in the application as follows:

"To the best of my knowledge there are no present passenger stage permit holders operating a door to door type of service in the proposed area of operation. It is my belief that the citizens of the North San Diego County

area and the County as a whole would benefit in the reduced congestion of State and County roads and parking facilities at the San Diego International Airport. The distance to the San Diego International Airport and the proposed service area, as great as fifty-five (55) miles in some instances, places a great burden on many residents, particularly the elderly. Such a door to door service should provide a great benefit for this segment of the community."

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar of September 17, 1987. No protests have been received, and a public hearing is not required.

Transportation Division staff reviewed the application and requested further information and proof of service of the application on public agencies. Staff's advice of participation filed on November 9, 1987 states that applicant has provided the required proof of service and the information requested; it recommends ex parte handling as no protests have been received.

Findings of Fact

1. Public convenience and necessity require that the proposed service be established.
2. Applicant has the ability and financial resources to perform the proposed service.
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.

Conclusion of Law

The application should be granted as set forth in the order. Since there are no protests, the order should become effective on the date it is signed.

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.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Robert Edgar Dietrich authorizing him to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the route set forth in Appendix PSC-1455, 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 FEB 10 1988, at San Francisco, California.

STANLEY W. HULETT  
President  
DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
Commissioners

Commissioner John B. Ohanian,  
being necessarily absent, did not  
participate.

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

  
Victor Weissert, Executive Director

T/VJ/vj

Appendix PSC-1455

Robert Edgar Dietrich

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-1455

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Showing passenger stage operative rights, restrictions,  
limitations, exceptions, and privileges.

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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.

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Issued under authority of Decision 88 02 018, dated  
FEB 10 1926 of the Public Utilities Commission of the  
State of California in Application 87-09-017.

T/VJ/vj

Appendix PSC-1455

Robert Edgar Dietrich

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

Robert Edgar Dietrich by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and baggage on a door-to-door, on-call basis between points in San Diego County, described in Section 2, and San Diego International Airport (SAN), over and along the route described, subject, however, to the authority of this Commission to change or modify the route 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 operations in either direction unless otherwise indicated.
- (c) 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 the authorized door-to-door, on-call service will be provided.
- (d) No passengers shall be transported except those having a point of origin or destination at SAN.
- (e) This certificate does not authorize the holder to conduct any operation 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. SERVICE AREA DESCRIPTION

Includes all points within the geographical limits of the following cities and communities and postal zip codes:

<u>CITY/COMMUNITY</u>	<u>ZIP CODE</u>
Del Mar/North City West	92014/92130
Solana Beach	92075
Encinitas/Leucadia/Olivenhain	92024
Cardiff by the Sea	92007
Carlsbad	92008/92009
Oceanside	92054/92056
Vista	92083/92084
San Marcos	92069
Escondido	92025/92026/92027
Rancho Bernardo	92127/92128
Rancho Penasquitos	92129

## SECTION 3. ROUTE DESCRIPTION

Commencing at any point within the authorized service area described in Section 2, then via the most convenient streets and highways to SAN.

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