

AUG 24 1988

**ORIGINAL**

Decision 88-08-040 August 24, 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 San Diego Mini Tours for authority )  
 to operate as a passenger stage )  
 corporation between points in )  
 San Diego County and San Diego )  
 International Airport. )

Application 88-04-010  
 (Filed April 4, 1988;  
 amended June 16, 1988)

OPINION

Applicant San Diego Mini Tours, a California corporation, requests that the Commission issue applicant a certificate of public convenience and necessity to conduct passenger stage operations between the San Diego International airport (SDIA) and points in San Diego County as more particularly set out in the application. Notice of filing of the amended application appeared in the Commission Daily Calendar of June 20, 1988 and in the Commission Transportation Calendar of June 22, 1988. No protests to the application have been received.

Applicant currently operates passenger charter and sightseeing service in the territory for which it now seeks a certificate to serve. Its present service consists of an on-call and sightseeing service operated with 21 vehicles, including 14-, 17-, 21-, 25-, 29-, and 30-passenger mini buses. All vehicles are luxury models, fully air conditioned, and fully automatic. Applicant will use some of this equipment in the regulated service. As of May 31, 1988 applicant had a net worth of approximately \$473,000.

Applicant intends to serve between the San Diego Marriott Hotel and Marina on Harbour Drive in San Diego and SDIA via one route. It also intends to serve between the four hotels in Hotel Circle in San Diego operated by the Atlas Hotel Corporation and SDIA. The first operation is currently being conducted under San

Diego City authority and the second under its charter party authority. Both routes are within the city. Applicant intends to operate on-call service between points within the City of Coronado and SDIA. Less than 90% of applicant's route mileage will be within San Diego.

Applicant proposes to offer scheduled as well as on-call service to or from Hotel Circle and the San Diego Marriott. It will offer only on-call service with one hour advanced reservation to or from Coronado. Schedules to and from the San Diego Marriott will operate every 15 minutes from 5:30 a.m. until midnight and to and from Hotel Circle every 20 minutes from 5:20 a.m. until midnight.

Applicant will charge a one-way fare of \$6 to or from Coronado, \$5 to or from any of the four hotels in Hotel Circle, and \$2.50 to or from the San Diego Marriott Hotel.

The Rail/Transit Planning and Policy Branch of the Commission's Transportation Division recommends that the application be granted.

Findings of Fact

1. Applicant requests a certificate to operate as a passenger stage corporation in scheduled and on-call service between SDIA, on the one hand, and the San Diego Marriott Hotel and hotels on Hotel Circle, on the other, and in on-call service between points in Coronado and SDIA.
2. Applicant is presently conducting some of the requested service which is entirely within the City of San Diego and currently not subject to Commission jurisdiction.
3. Applicant also conducts charter party and sightseeing service in the area sought to be served.
4. Applicant operates 21 vehicles sitting between 14 and 30 passengers, some of which it will use in the proposed operation.
5. As of May 31, 1988 applicant had a net worth of approximately \$473,000.

6. Applicant's fares and timetables are set forth in Exhibit C to the application.

7. Applicant is financially fit to conduct the proposed operation.

8. Public convenience and necessity requires the granting of the application.

9. The application is not protested.

10. A public hearing is not necessary.

Conclusion of Law

The application should be granted.

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 San Diego Mini Tours, 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-4668, 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 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 operation 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.

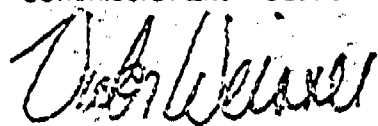
This order becomes effective 30 days from today.

Dated AUG 24 1988, at San Francisco, California.

STANLEY W. HULETT  
President

DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
JOHN B. OHANIAN  
Commissioners

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

  
Victor Weiss, Executive Director  
do

T/VJ/vjk

Appendix PSC-4668

SAN DIEGO MINI TOURS, INC.

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-4668

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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 08 040, dated  
AUG 24 1988 of the Public Utilities Commission of the  
State of California in Application 88-04-010.

T/VJ/vjk

Appendix PSC-4668

SAN DIEGO MINI TOURS, INC.

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Issued by California Public Utilities Commission.

Decision 88 08 040, Application 88-04-010.

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

San Diego Mini Tours, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage between points in San Diego County, and San Diego International Airport (SAN), 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) 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.
- (b) 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.
- (c) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (d) Only passengers originating at or destined to SAN shall be transported.
- (e) 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 on-call service will be rendered.
- (f) The tariffs and timetables shall specify the location of each scheduled stop.

Issued by California Public Utilities Commission.

Decision 88 08 040, Application 88-04-010.

SECTION 2. ROUTE DESCRIPTIONS.

Route 1. ON-CALL SCHEDULED SERVICE.

Commencing at San Diego International Airport, then via the most convenient streets and highways to the following:

1. San Diego Marriott Hotel and Marina.
2. San Diego Convention Center.

Route 2. ON-CALL SCHEDULED SERVICE.

Commencing at San Diego International Airport, then via the most convenient streets and highways to any hotel/motel along Hotel Circle North and Hotel Circle South in the City of San Diego.

Route 3. ON-CALL DOOR-TO-DOOR SERVICE.

Commencing at San Diego International Airport, then via the most convenient streets and highways to any point in the City of Coronado.

Issued by California Public Utilities Commission.

Decision 88 68 640, Application 88-04-010.

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