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Decision 88 11 005

NOV 9 1988

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ANTHONY L. FEIST (Buyer) and ELAINE)
S. JAROS (Seller) for authorization)
to transfer Certificate of Passenger)
Stage Service.)

Application 88-06-019
(Filed June 15, 1988)

OPINION

This is an application in which Elaine S. Jaros (Jaros) seeks authority to sell her passenger stage operating authority to Anthony L. Feist (Feist), doing business as Airport Bus Service (Service).

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on June 20, 1988. Notice was also mailed to the Counties of Shasta and Tehama; the Cities of Anderson, Red Bluff and Redding and the Director of Airports for Redding. There are no protests.

The Commission makes the following findings and conclusion.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Jaros received a certificate of public convenience and necessity to operate as a passenger stage corporation to provide service between Redding Municipal Airport and Redding in Decision (D.) 89605 in Application (A.) 58312, dated October 31, 1978. Thereafter, in D.91773 in A.59012, Jaros was authorized to serve between Redding Municipal Airport and various points in Shasta and Tehama Counties. Jaros conducts service using two vans.
3. Feist is a businessman. He had a net worth of \$120,910 as of June 3, 1988.
4. On June 7, 1988, the parties entered into an agreement in which Jaros agreed to sell her operating rights to Feist for \$100.

The parties contemplate that, if the transfer is approved, Jaros will sell the two vans to Feist.

5. Feist has the ability, including financial ability, to continue to operate under the passenger stage operating authority here under consideration.

6. The proposed sale and transfer of seller's passenger stage operating authority from Jaros to Feist is not adverse to the public interest.

7. Because the ensuing decision will benefit the travelling public by providing for continuance of needed service, it should be made effective on the date of signature.

Conclusion of Law

The application should be granted.

This authorization is not a finding of the value of the rights and properties over which control is being acquired.

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. On or before October 31, 1989, Elaine S. Jaros (Jaros) may sell and transfer the operative rights specified in the application to Anthony L. Feist (Feist).

2. Feist shall:

- a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.
- b. Amend or reissue Jaros' tariffs and timetables, state in them when the service will start, make them effective 10 or more days after this order is effective, and

allow at least 10 days' notice to the Commission.

- c. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- d. Maintain accounting records in conformity with the Uniform System of Accounts.
- e. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to Anthony L. Feist, 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-4930, to transport persons and baggage.

4. The certificate of public convenience and necessity granted by D.89065 and D.91773 is revoked on the effective date of the tariffs.

This order is effective today.

Dated NOV 9 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 Weisser
Victor Weisser, Executive Director

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE AS A PASSENGER STAGE CORPORATION
PSC-4930

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 88 11 005, dated NOV 9 1988,
of the Public Utilities Commission of the State of California, in
application 88-06-019.

SECTION I: GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS.

Anthony L. Feist, by this certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to transport passengers, their baggage and shipments of express between Redding Municipal Airport, on the one hand, and certain specified points within Shasta County and Tehama County, as described in Section II, on the other hand, over the routes hereinafter described, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- (a) Stops may be made as described in Section II to pick up or discharge passengers, baggage and express.
- (b) The transportation of express shall be on passenger-carrying vehicles and shall be incidental to the transportation of passengers and limited to a weight of not more than one hundred (100) pounds per shipment.
- (c) No passengers shall be transported except those having point of origin or destination at the Redding Municipal Airport.
- (d) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (e) This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operations are authorized by both this Commission and the airport authority involved.

Issued by California Public Utilities Commission.

Decision 88 11 005, Application 88-06-019.

SECTION II: ROUTE DESCRIPTIONS AND PICKUP POINTS

ROUTE 1. Redding hotels/motels and Redding Municipal Airport

Beginning at Redding Municipal Airport and continuing North on Airport Road to Highway 44, then West to Hilltop Drive, then North to Highway 299 E, then West to Highway 273, then South to 299 W, then West to Iron Mountain Road and returning East on Highway 299 to Highway 273, then South to Bonnyview Road South, then East to Churn Creek Road and Rancho Road, then East to Airport Road and South to Redding Municipal Airport.

Pickup and discharge points shall be at any hotel or motel and major traffic connecting streets within the routes described above, on an on-call basis.

ROUTE 2. Anderson and Redding Municipal Airport

Beginning at Redding Municipal Airport and continuing South on Airport Road (becoming North Street) to Interstate 5 and returning by this route.

The pickup and discharge points shall be limited to a two-mile radius of North Street and Interstate 5 on major traffic connecting streets.

ROUTE 3. Cottonwood and Redding Municipal Airport

Beginning at Redding Municipal Airport and continuing South on Airport Road to Interstate 5 and continuing South to Gas Point Road and returning by this route to Redding Municipal Airport.

The appropriate pickup and discharge points shall be limited to within a one-mile radius of Interstate 5 and Gas Point Road at major traffic connecting streets.

Issued by California Public Utilities Commission.

Decision 88 11 G05, Application 88-06-019.

SECTION II: ROUTE DESCRIPTIONS AND PICKUP POINTS (continued)

ROUTE 4. Bridge Bay and Redding Municipal Airport

Beginning at Redding Municipal Airport and continuing North on Airport Road to Highway 44, then West to Interstate 5, then North to O'Brien Road, and returning by this route to Redding Municipal Airport.

The appropriate pickup and discharge points will be major Marina Resorts which at this time are Bridge Bay, Holiday Shores and Lakehead.

ROUTE 5. Palo Cedro and Redding Municipal Airport

Beginning at Redding Municipal Airport and continuing North on Airport Road to Highway 44, then East to Deschutes Road, then South one mile to Junction School and returning on Deschutes North to Highway 299 E, then West to Old Oregon Trail, then South (becoming Airport Road) to Redding Municipal Airport.

The pickup and discharge points will be at any appropriate points along the above-mentioned route.

ROUTE 6. Red Bluff and Redding Municipal Airport

Beginning at Redding Municipal Airport and continuing South on Airport Road to Interstate 5 and continuing South to Highway 36-99 and returning by this route to Redding Municipal Airport.

The pickup and discharge points shall be limited to any appropriate points within a two-mile radius of Highway 36-99 and Interstate 5 on major traffic connecting streets.

SECTION II: ROUTE DESCRIPTIONS AND PICKUP POINTS (continued)

ROUTE 7. Central Valley and Redding Municipal Airport

Beginning at Redding Municipal Airport and continuing North on Airport Road to Highway 44, then West to Interstate 5, then North to Highway 151, then West three miles and returning by this route to Redding Municipal Airport.

The pickup and discharge points will be at any appropriate points along the route of Highway 151 and adjacent major connecting streets.