

MOHOC  
JUN 26 1988

Decision 88-11-060 November 23, 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Pinetree Service Corporation, Inc., )  
a California corporation doing )  
business as Airportcoach, to transfer )  
and sell a certificate of public )  
convenience and necessity and for )  
Ground Systems, Inc., a California )  
corporation, to acquire, pursuant )  
to Section 851, et seq. of the )  
California Public Utilities Code. )

Application 88-04-069  
(Filed August 22, 1988)

John deBrauwere, Attorney at Law, for  
Pinetree Service Corporation, Inc.,  
applicant.

Dennis Menke, Attorney at Law, for  
FunBus Systems, Inc., protestant.

#### FINAL OPINION

Pinetree Service Corporation, Inc. (Pinetree), a California corporation doing business as Airportcoach, Inc., and Ground Systems, Inc. (GSI), a California corporation, have filed a joint application in which they seek authority pursuant to Section 851 et seq. of the California Public Utilities (PU) Code to transfer from Pinetree to GSI, the certificate of public convenience and necessity presently held by Pinetree as PSC-1152. A protest to the application was filed on May 16, 1988 by FunBus Systems, Inc. (FunBus).

Following notice, a public hearing was held in Los Angeles on July 6 and 7, 1988, before Administrative Law Judge (ALJ) William A. Turkish. The matter was consolidated for hearing with Case (C.) 88-05-028, a complaint matter brought against Pinetree and GSI by FunBus. During hearing, FunBus withdrew its complaint and asked that C.88-05-028 be dismissed. Upon the

request of Pinetree and GSI, the hearing on the application was continued to a date to be announced in order to permit Pinetree and GSI to file an amended application. C.88-05-028 was subsequently dismissed in Decision (D.) 88-07-042.

On July 14, 1988, Pinetree and GSI filed an amendment to the application in which they requested authority for route revisions in Pinetree's certificate, a new terminal in Anaheim, and emergency interim authority. On July 20, 1988, Pinetree submitted, as a second amendment to the application, a declaration from Charles T. Allee, chief operating officer of Pinetree and President of GSI, in support of its request for immediate operating authority. On July 22, 1988, the Commission issued Interim Opinion D.88-07-072, which granted Pinetree and GSI immediate interim authority to operate the new terminal at Harbor Boulevard, in lieu of its previously authorized terminal at Alicante Princess Hotel, and which amended the existing authorized routes, as necessary, to recognize this new terminal. The interim authority was to continue until formal hearings were held on the application and the Commission issued a final order on the matter.

On August 15, 1988, FunBus filed an application for rehearing challenging the interim decision. On August 18, 1988, FunBus filed a protest to the amendments. In D.88-10-038, dated October 14, 1988, the Commission issued an order denying rehearing and made a minor modification in D.88-07-072.

On October 4, 1988, counsel for FunBus notified the Commission in writing that it has entered into an agreement to sell its operating rights to GSI for consideration subject to approval of such transfer by the Commission. Accordingly, FunBus withdrew its protest to Application (A.) 88-04-069. Inasmuch as FunBus has withdrawn its protest to the application and there have been no other protests, further hearing on the application is not required.

Applicant GSI states that while it is a newly reformed corporation, it possesses through its management, combined experience in finance, transportation, and public service exceeding 100 years.

Pinetree has manifested its intention and its desire to confine its activities outside the field of passenger transportation. It has sold its school bus transportation business to Laidlaw and only recently, has sold its wholly owned subsidiary, California Charter Buses, its Class A certificate and its equipment to B.F.I., Inc.

The authority sought encompasses passenger service between points in Riverside, San Bernardino, Orange, and Los Angeles Counties, on the one hand, and Los Angeles International Airport (LAX), John Wayne Airport (SNA), Ontario Airport (ONT), and Long Beach Airport (LGB), on the other hand. Shuttle service from the Cities of Anaheim and Buena Park to SNA and other points is a integral part of the service sought to be transferred.

GSI states that no increase in fares from those currently authorized is contemplated although some rescheduling of service is contemplated.

GSI's total assets exceed \$1,130,000. Total passenger revenue generated by Pinetree for these routes for a 7-month period in 1987 exceeded \$2,400,000.

#### Findings of Fact

1. GSI had the ability, experience, equipment, and financial resources to assume and conduct the existing service.
2. Public convenience and necessity require the transfer of authority from Pinetree to GSI.
3. The protest filed by FunBus Systems, Inc. has been withdrawn and no other protests have been filed within the specified period.
4. A public hearing is no longer necessary.

5. The interim opinion in D.88-07-072 amended Pinetree's certificate of public convenience and necessity by adding a new terminal at 1660-1700 Harbor Boulevard in Anaheim in lieu of a prior-authorized terminal at the Alicante Princess Hotel in the City of Garden Grove.

6. It can be seen with certainty that there was no possibility that the transfer of existing authority or the conduct of service within such authority may have a significant effect on the environment.

Conclusions of Law

The proposed transfer is in the public interest and should be authorized. A public hearing is not necessary.

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.

FINAL ORDER

IT IS ORDERED that:

1. By January 31, 1989, Pinetree Service Corporation, Inc. may sell and transfer the operative rights and property specified in the application to Ground Systems, Inc.
2. Purchaser shall:
  - a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer documents within 30 days after transfer.
  - b. Amend or reissue seller's 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 Order Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.

- d. File an annual report of seller's operations for the period from the first day of the current year to the date of transfer.
- 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. If the transfer is completed, on the effective date of the tariffs, a certificate of public convenience and necessity is granted to Grounds Systems, Inc., a corporation, authorizing it to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in Appendix PSC-5219, to transport persons, baggage and/or express.

4. The certificate of public convenience and necessity granted by D.84-11-119, D.86-03-078, D.87-03-018, D.87-06-062, D.87-11-034, and D.88-07-072 is revoked on the effective date of the tariffs.

5. Since further hearings are not necessary, the interim authority in Ordering Paragraph 2 of D.88-07-072, which was granted pending further hearing, is no longer necessary and the authority granted therein is hereby made permanent.


This order is effective today.

Dated NOV 23 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

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-5219

---

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 11 060, dated NOV 23 1988,  
of the Public Utilities Commission of the State of California, in  
Application 88-04-069.

## I N D E X

	<u>Page</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.....	2

## SECTION 2. ROUTE DESCRIPTIONS.

<u>Route</u>	<u>Route Name</u>	
1	Santa Anita-Oak Tree	4
2	Hollywood Park	4
3	Dodger Stadium	4
4	Deleted	
5	Bakersfield to LAX	4
6	Palm Desert/Palm Springs to LAX	5
7	Not Used	5
8	Not Used	5
9	Camps San Onofre, Horno, San Mateo, Talega, or Christianitos- Disneyland (Anaheim)	5
10	Laguna Hills - John Wayne Airport (SNA) Los Angeles International Airport (LAX)	6
Alt. 10	1660-1770 Harbor Blvd. - Anaheim/ Anaheim Buena Park Service Area-LAX	6
11	Ontario International Airport (ONT) - John Wayne Airport (SNA)	6
12	Anaheim-Buena Park Service Area - John Wayne (SNA)	7
Alt. 12	Amtrak (Anaheim) - John Wayne	7
13	Anaheim-Buena Park Service Area-OCTD	7
14	Anaheim-Buena Park Service-Amtrak	7
15	Anaheim-Buena Park Service Area	8

SECTION 3. SERVICE AREA DESCRIPTIONS.	9
---------------------------------------	---

Issued by California Public Utilities Commission.

Decision 88 11 060, Application 88-04-069.

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

Ground Systems, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers, baggage, and express between the points described in Section 2, over and along the routes described: subject, however, to the 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. 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.
- d. All transportation services on Routes 1, 2, and 3 shall be operated as "on-call" basis, shall be limited to the transportation of round trip passengers only, and shall originate and terminate at one or more of the locations in the Los Angeles County and Orange County Service Areas as described in Section 3.

Issued by California Public Utilities Commission.

Decision 88 11 060, Application 88-04-069.



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

- e. On Route 9, all passengers originating at or destined to Disneyland, City of Anaheim, shall be destined to or originate at Camp San Onofre, Camp Horno, Camp San Mateo, Camp Telega, or Camp Christianitos. Such service shall be operated on an "on-call" basis, subject to a minimum of 12 passengers.
- f. All transportation services on Route 12, 12 alternate, Route 13, Route 14, and Route 15 shall be operated on an "on-call" basis and shall originate and/or terminate at one or more of the following locations:
  - (1) All points within the Anaheim-Buena Park Service Area defined in Section 3.
  - (2) Orange County Transit District Terminal (OCTD) at 2027 Brea Mall in the City of Brea.
- g. All "on-call" passengers traveling on Routes 12, 12 alternative 13, 14, and 15 may transfer at 1660-1700 Harbor Blvd., Anaheim, or any other alternate points in the Anaheim-Buena Park Service Area; AMTRAK Terminal, Anaheim, or the Orange County Transit District (OCTD) Terminal at 2027 Brea Mall in Brea for destinations to or from John Wayne Airport (SNA); Ontario International Airport (ONT); Long Beach Airport (LGB); and Los Angeles International Airport (LAX).
- 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 88 11 060, Application 88-04-069.

## SECTION 2. ROUTE DESCRIPTIONS.

Route 1. Santa Anita-Oak Tree

Commencing from pickup points in Los Angeles and Orange County service areas as described in Section 3, then over the most appropriate and convenient routes to Santa Anita Race Track in Arcadia, and return to points of origin.

Route 2. Hollywood Park

Commencing from pickup points in Los Angeles and Orange County service areas as described in Section 3, then over the most appropriate and convenient routes to Hollywood Park in Inglewood, and return to points of origin.

Route 3. Dodger Stadium

Commencing from pickup points in Los Angeles County service areas as described in Section 3, then over the most appropriate and convenient routes to Dodger Stadium in Los Angeles, and return to points of origin.

Route 4. SAN to LAX

Deleted.

Route 5. Bakersfield to LAX

Service will originate at the Bakersfield Inn, 1101 Union Avenue, Bakersfield, then via the most convenient street and highways to Los Angeles International Airport (LAX).

Issued by California Public Utilities Commission.

Decision 88 11 060 Application 88-04-069.

## SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route 6. Palm Desert/Palm Springs to LAX

Commencing at Denny's Restaurant, Highway 111, Palm Desert thence over the most convenient streets and highways to the following service points: The Palm Springs Hilton Riviera Hotel, Desert Avenue, and International Hotel Resort, East Palm Canyon Drive, both in Palm Springs, Kettle's Restaurant, 219 E. Hospitality Way, San Bernardino, a point in the City of Riverside to be specified in carrier's timetable, Ontario International Airport (ONT) and Los Angeles Airport (LAX).

Route 7. Not used.

Route 8. Not used.

Route 9. Camp San Onofre, Horno, San Mateo, Talega, or Christianitos-Disneyland (Anaheim)

Commencing at the gates of Camps San Onofre, Horno, San Mateo, Talega, or Christianitos; then via Interstate Highway 5 (San Diego Freeway and Santa Ana Freeway), Katella Avenue, Anaheim, and West Street to Disneyland.

Issued by California Public Utilities Commission.

Decision 88 11 060, Application 88-04-069.

## SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route 10. Laguna Hills - John Wayne Airport (SNA) - Los Angeles International Airport

Commencing at the Laguna Hills Terminal, thence over the most convenient streets and highways to the following passenger pickup and discharge areas and points: John Wayne Airport (SNA); 1660-1700 Harbor Blvd., Anaheim, or any other alternate points in the Anaheim-Buena Park Service Area, Long Beach Airport (LGB); and Los Angeles International Airport (LAX).

Alternate Route 10. 1660-1700 Harbor Blvd., Anaheim/Anaheim-Buena Park Service Area-LAX

Commencing from 1660-1700 Harbor Blvd., Anaheim or any other alternate point in the Anaheim-Buena Park Service referred to in Section 3 thence directly to LAX by the most convenient streets and highways available.

Route 11. Ontario International Airport (ONT) - John Wayne Airport (SNA)

Commencing at John Wayne Airport (SNA) then over and along the most convenient streets and highways to the following passenger pickup and discharge points and areas: 1660-1700 Harbor Blvd. or any other alternate points in the Anaheim-Buena Park Service Area; referred to in Section 3; AMTRAK Terminal in Anaheim; Orange County Transit District (OCTD) Terminal in Brea; and thence to Ontario International Airport (ONT).

Issued by California Public Utilities Commission.

Decision 88 11 060, Application 88-04-069.

## SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route 12 Anaheim - Buena Park Service Area - John Wayne Airport (SNA)

Commencing from various pickup points within the Anaheim-Buena Park Service Area defined in Section 3, then via the most convenient streets and highways to John Wayne Airport (SNA).

Alternate Route 12

Commencing at the AMTRAK Terminal in Anaheim; then via the the most convenient streets and highways to the John Wayne Airport (SNA) passenger terminal.

Route 13. Anaheim - Buena Park Service Area - Orange County Transit District (OCTD) Terminal

Commencing from various pickup points within the Anaheim-Buena Park Service Area defined in Section 3, then via the most convenient streets and highways to the Orange County Transit District (OCTD) Terminal on State College Boulevard in the City of Brea.

Route 14. Anaheim - Buena Park Service Area - AMTRAK Terminal

Commencing from various pickup points within the Anaheim-Buena Park Service Area; defined in Section 3 then via the most convenient streets and highways to the AMTRAK Terminal in Anaheim.

Issued by California Public Utilities Commission.

Decision 88 11 060, Application 88-04-069.

## SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route 15. Buena Park - Buena Park Service Area - 1660-1700 Harbor Blvd.  
or any other point within the Anaheim - Buena Park Service Area.

Commencing from various pickup points within the Anaheim-Buena Park Service Area defined in Section 3 then via the most convenient streets and highways to 1660-1700 Harbor Blvd., or any alternate point within said service area.

Issued by California Public Utilities Commission.

Decision 88 11 060, Application 88-04-069.

## SECTION 3. SERVICE AREA DESCRIPTION

Anaheim - Buena Park Service Area

All points within the corporate limits of the cities of Anaheim or Buena Park.

Los Angeles County Service Area

Any one of the following points:

Downtown Los Angeles

Biltmore Hotel  
Bonaventure Hotel  
Hyatt Regency  
Los Angeles Hilton  
New Otani Hotel  
Los Angeles Convention Center  
Hotel Figueroa

Mid-Wilshire

Ambassador Hotel  
Hyatt Wilshire  
Sheraton Townhouse  
Hollywood Roosevelt Hotel

Beverly Hills-Century City

Beverly Hills Hotel  
Beverly Wilshire Hotel  
Beverly Hilton Hotel  
Century Plaza Hotel  
Beverly Hills Ramada Inn

Los Angeles Airport

Airport Marina Hotel  
Hyatt Airport  
Marriott Airports  
Sheraton Plaza La Reina  
Travelodge L.A. Airport

Orange County Service Area

Disneyland Hotel  
Grand Hotel  
Marriott Anaheim  
Anaheim Convention Center

Issued by the California Public Utilities Commission.

Decision 88 11 060, Application 88-04-069.

Mailed

Decision 88 11 060 NOV 23 1988

NOV 26 1988

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Pinetree Service Corporation, Inc., )  
a California corporation doing )  
business as Airportcoach, to transfer )  
and sell a certificate of public )  
convenience and necessity and for )  
Ground Systems, Inc., a California )  
corporation, to acquire, pursuant )  
to Section 851, et seq. of the )  
California Public Utilities Code. )

**ORIGINAL**Application 88-04-069  
(Filed August 22, 1988)

John DeBrauwere, Attorney at Law, for  
Pinetree Service Corporation, Inc.,  
applicant.

Dennis Menke, Attorney at Law, for  
FunBus Systems, Inc., protestant.

**FINAL OPINION**

Pinetree Service Corporation, Inc. (Pinetree), a California corporation doing business as Airportcoach, Inc., and Ground Systems, Inc. (GSI), a California corporation, have filed a joint application in which they seek authority pursuant to Section 851 et seq. of the California Public Utilities (PU) Code to transfer from Pinetree to GSI, the certificate of public convenience and necessity presently held by Pinetree as PSC-1152. A protest to the application was filed on May 16, 1988 by FunBus Systems, Inc. (FunBus).

Following notice, a public hearing was held in Los Angeles on July 6 and 7, 1988, before Administrative Law Judge (ALJ) William A. Turkish. The matter was consolidated for hearing with Case (C.) 88-05-028, a complaint matter brought against Pinetree and GSI by FunBus. During hearing, FunBus withdrew its complaint and asked that C.88-05-028 be dismissed. Upon the



5. The interim opinion in D.88-07-072 amended Pinetree's certificate of public convenience and necessity by adding a new terminal at 1660-1700 Harbor Boulevard in Anaheim in lieu of a prior-authorized terminal at the Alicante Princess Hotel in the City of Garden Grove.

6. It can be seen with certainty that there was no possibility that the transfer of existing authority or the conduct of service within such authority may have a significant effect on the environment.

Conclusions of Law

The proposed transfer is in the public interest and should be authorized. A public hearing is not necessary.

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. By January 31, 1989, Pinetree Service Corporation, Inc. may sell and transfer the operative rights and property specified in the application to Ground Systems, Inc.
2. Purchaser shall:
  - a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer documents within 30 days after transfer.
  - b. Amend or reissue seller's 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 Order Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.