

Decision 88 11 061 NOV 23 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Fun Bus Systems, Inc., a California )  
 corporation doing business as Fun )  
 Bus/Airlink, to transfer and sell a )  
 Certificate of Public Convenience )  
 and Necessity and Ground Systems, )  
 Inc., a California corporation, to )  
 acquire pursuant to Section 851 et )  
 seq., of the Public Utilities Code. )

**ORIGINAL**

Application 88-10-041  
 (Filed October 24, 1988)

INTERIM OPINION ON PETITION FOR EMERGENCY  
INTERIM PARTIAL AUTHORITY

Pinetree Service Corporation, Inc., a California corporation doing business as Airportcoach, and Ground Systems, Inc., a California corporation, together the transferees in this application, have filed a Petition for Emergency Interim Partial Order (Petition) for authority to transfer that portion of the certificate of public convenience of Fun Bus Systems, Inc. which pertains to Route 3 between the Pasadena-Monrovia Territory and Los Angeles International Airport (LAX).

Transferees claim that:

1. At the present time, this service along the route constitutes the only scheduled passenger service currently active to the Pasadena-Monrovia area.
2. Scheduled service to Pasadena-Monrovia territory from LAX has been curtailed since October 4, 1988, since Fun Bus has gone out of business.
3. The LAX management would allow this service to begin again and be conducted by the transferees if interim authority from the Commission were granted to the transferees pending the final decision in the instant application.

Discussion

Ground Systems, Inc. and Pinetree Service Corporation, Inc. in the instant Petition have requested authority to transfer a portion of the Fun Bus certificate, although transfer of the entire Fun Bus certificate is pending in this proceeding. There is a lack of scheduled passenger service between the Pasadena-Monrovia area and Los Angeles International Airport since Fun Bus went out of business in early October 1988. The public is currently being deprived of this scheduled passenger service, as transferees note in their Petition. Granting the emergency petition will remedy this current situation.

This decision did not appear on the Commission's public agenda; however, under Public Utilities Code Section 306(b), there is sufficient emergency to require our action today without public notice because of the current lack of scheduled bus service.

Findings of Fact

1. Fun Bus ceased operations on this route in early October 1988.
2. The public has been deprived of this service.
3. There is a public need for this service.
4. The LAX management would allow this service to begin again if the transferees receive the necessary authority from this Commission.
5. The protest period on the underlying application expires today.

Conclusions of Law

1. Inasmuch as the shutdown of operations between Pasadena-Monrovia and Los Angeles International Airport has been brought about because of the cessation of operations by Fun Bus, thereby depriving the public of such service, the authority to transfer that portion of Fun Bus' certificate should be granted on an interim basis pending the final decision in the instant application.

2. Notice of this matter did not appear on the Commission's public agenda; however, an emergency exists in that the public is being deprived of scheduled bus service, which justifies our action today under Public Utilities Code Section 306(b).

3. Due to the emergency nature of the requested relief, we will grant interim relief today, which is the last day of the protest period relative to the underlying application.

INTERIM ORDER

IT IS ORDERED that:

1. Pending resolution of A.88-10-041, Fun Bus Systems, Inc. may transfer, on an interim basis, Route 3 and its alternate, as stated in PSC-5219, attached hereto, to Ground Systems, Inc. and Pinetree Service Corporation, Inc.

2. Purchasers 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 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 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 Public Utilities Code Section 403 when notified by mail to do so.

3. The Petition for Emergency Interim Partial Authority is granted as set forth above.



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 Weisser, Executive Director  


EJ/ej

Appendix PSC-5219      GROUND SYSTEMS, INC.      Original Title Page  
(PINETREE SERVICE CORPORATION, INC.)

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION

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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Under Authority of Decision 88 11 061, dated NOV 23 1988,  
of the Public Utilities Commission of the State of California  
in Application 88-10-041.

SECTION 1.    GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS

Ground Systems, Inc. and Pinetree Service Corporation, 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 their baggage and express between the territories and points, and along the routes stated and described in this certificate. All authorization is subject to the authority of this Commission to change or modify routes at any time and subject to the following provisions:

1. 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.
2. 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.
3. When route descriptions are given in one direction, they apply to operations in either direction, unless otherwise noted.
4. Carrier shall conduct such routes over and along the most direct or appropriate route or routes, subject to local traffic regulations.
5. Except as noted, daily service shall be operated year-round.
6. Baggage and express shall be limited to a weight of not more than 100 pounds per shipment.

Issued by California Public Utilities Commission.

Decision 88 11 061, in Application 88-10-041.

SECTION 2. SERVICE AREA.

I. Airport Service.

The territories within which Ground Systems, Inc. and Pinetree Service Corporation, Inc. are authorized to pickup and discharge passengers are described and bounded as follows:

A. Pasadena-Monrovia Territory

Commencing at the intersection of Loma Alta Drive and Lincoln Avenue; then along Lincoln Avenue, Montana Street, Arroyo Boulevard, York Boulevard, Monterey Road, Fremont Avenue, Alhambra Road, Garfield Avenue, Main Street, Las Tunas Drive, Live Oak Avenue, Myrtle Avenue, Duarte Road, Mountain Avenue, Foothill Boulevard, Santa Anita Avenue, Sierra Madre Boulevard, Washington Boulevard, Altadena Drive, Lake Avenue, Loma Alta Drive to point of beginning.

SECTION 3. ROUTE DESCRIPTIONS.

I. LOS ANGELES INTERNATIONAL AIRPORT OPERATIONS

Route 3 - Pasadena-Monrovia Territory

Commencing at the Pasadena-Monrovia Territory, Pasadena Freeway, Harbor Freeway, Century Boulevard and to LAX.

Alternate Route A - Santa Monica Freeway

Commencing at the Pasadena-Monrovia Territory, Pasadena Freeway, Harbor Freeway, Santa Monica Freeway, Washington Boulevard, La Cienega Boulevard, La Tijera Boulevard, Sepulveda Boulevard and to LAX.

Issued by California Public Utilities Commission.

Decision 88-11-061, in Application 88-10-041.