

Decision 89 02 003 FEB 8 1989

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Glen Stanton, dba Sea Breeze Airport)
Service, to operate an on-call)
passenger stage corporation over the)
following two routes: (1) between)
points in Coastal North San Diego)
County and the San Diego Airport;)
(2) between points in Coastal North)
San Diego County and points in the)
San Diego Airport vicinity.)

Application 88-09-039
(Filed September 20, 1988)

OPINION

Glen Stanton (Stanton), an individual doing business as Sea Breeze Airport Service, requests authority under Public Utilities (PU) Code § 1031, et seq. to establish and operate an on-call passenger stage corporation service for the transportation of passengers and baggage over the following two routes: (1) between points in coastal north San Diego County and the San Diego Airport and (2) between points in coastal north San Diego County and points in the San Diego Airport vicinity.

Notice of filing of the application appeared in the Commission's Daily Transportation Calendar on September 23, 1988. In addition, notice of the filing of the application was served by applicant on all governmental agencies and regional transportation planning agencies within whose boundaries passengers will be loaded and unloaded. There have been no protests to the application filed with the Commission, and Transportation Division staff recommends ex parte handling of the application.

The application states that Stanton has six years' experience in operating his own charter-party service (TCP 1916-P) as well as three additional year's experience driving for other transportation companies.

A balance sheet dated August 25, 1988, attached to the application shows: cash on hand or in banks of \$3,000; motor vehicles at \$58,000; and net worth of \$163,500. Operating vehicles are listed as being 4 Dodge 7-passenger vans.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. No protests to the application have been filed.
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.
4. As no protests have been filed and there is a public need for the service, this order should be effective immediately.
5. A public hearing is not necessary.

Conclusion of Law

Public convenience and necessity have been demonstrated, and a certificate should be granted to applicant.

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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Glen Stanton, 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-1916, to transport persons and their 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.

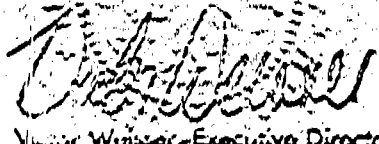
5. The application is granted as set forth above.

This order is effective today.

Dated FEB 8 1989, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. CHANIAN
Commissioners

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


Victor Weiner, Executive Director

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-1916

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 89 02 003, dated
FEB 8 1989, of the Public Utilities Commission of
the State of California in Application 88-09-039.

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Decision 89 02 003, Application 88-09-039.

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

Glen Stanton, an individual, by the certificate of public convenience and necessity granted by decision noted in the margin, is authorized to transport passengers and their baggage "on-call" between certain points in San Diego County described in Section II and San Diego International Airport (SAN) and its vicinity, 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. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- b. 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.
- c. No passengers shall be transported except those having point of origin or destination at SAN or San Diego International Airport Vicinity (SDIAV) as described on page three.
- d. Carrier shall not provide any service under this authority between San Diego International Airport and SDIAV.
- e. 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.

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SECTION II. SERVICE AREAS.

North Coastal San Diego County

Beginning from the Pacific Ocean and the south boundary of Camp del Mar, northerly along the boundary of Camp Del Mar and the southern boundary of Camp Pendleton Marine Corps Base, continue along the Baja Margarita River, west and southerly of Interstate 15, west of Lawrence Welk Road, south along the San Diego Aqueduct and the outer boundaries of San Marcos City, southerly on Via Vista Cruz Road and along the westerly boundaries of Mira Mesa, west on Mira Mesa Road, south on Interstate 805, west on State Highway 52, west on Ardath Road toward the Pacific Ocean.

The communities in this service area includes Fallbrook, Bonsall, Vista, Oceanside, San Marcos, Carlsbad, La Costa, Leucadia, Encinitas, Olivenhain, Rancho Santa Fe, Fairbanks Ranch, Cardiff by the Sea, Solana Beach, Del Mar, North City West, Sorrento Valley, La Jolla, Torrey Pines and University City.

San Diego Airport Vicinity

Beginning from the Pacific Ocean, easterly on Turquoise Street, southerly on Interstate 5, easterly on Clairemont Drive, southerly along the western border of Tecolote Canyon Golf Course, east on San Diego River, north on Highway 163, east on Friars Road, south on Mission Gorge Road, west on Adams Avenue, north on Highway 15, west on Highway 8, south on Highway 163, east on El Cajon Boulevard, south on Park Boulevard, east on University Avenue, south on 30th Street, west on Imperial Avenue, north and west on Harbor Drive, south on Highway 209, west on Talbot Street toward the Pacific Ocean.

The communities in the service area includes Pacific Beach, Mission Bay, Bay Park, Fleetridge, Roseville, La Playa, Loma Portal, Mission Hills, Old Town, Hillcrest, Midway, and Ocean Beach.

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SECTION III. ROUTE DESCRIPTIONS.

Route 1. Commencing from any point located within the North Coastal San Diego County to the San Diego International Airport.

Route 2. Commencing from any point located within the North Coastal San Diego County to points located in the San Diego International Airport vicinity.

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