

Decision ~~89-07-051~~ JUL 19 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Foothill's Flyer Inc. for a)
certificate of public convenience)
and necessity to operate as a)
passenger stage corporation between)
points in Placer County, Nevada)
County, and points along the I-80)
corridor to Sacramento Metro)
Airport, and the Sacramento,)
Roseville, and Colfax Amtrak)
stations.)

ORIGINAL

Application 89-05-054
(Filed May 23, 1989)

OPINION

Foothill's Flyer, Inc. (applicant) requests a certificate of public convenience and necessity to establish and operate as a passenger stage corporation for the transportation of persons between points in Placer County and Nevada County, to the Sacramento Metro Airport, and the Sacramento, Colfax, and Roseville Amtrak stations, and intermediate points.

Applicant alleges that its service is needed because it will provide a convenient and affordable method of transportation for travelers. It expects to charge individual fares ranging from \$10 to \$35 per trip, depending upon distance traveled. It has determined through interviews with numerous travel agents, private individuals, and a major private community development, that a locally based transportation service is desired for affordability, dependability, and security.

Applicant asserts that Placer County is one of the fastest growing counties in California. As traffic flow increases within Placer County, applicant's service can reduce private vehicle use and alleviate traffic congestion. Applicant's balance sheet shows that it has sufficient financial resources to institute and operate the proposed service.

Applicant proposes an on-call service using two GMC Safari vans seating six adults plus a driver, equipped with two-way radios. Applicant will pick up and deliver customers at their business or residence to and from Sacramento Metro Airport, Sacramento Amtrak, Roseville Amtrak, and Colfax Amtrak stations. Applicant proposes to operate 24 hours a day, 7 days a week. Applicant states that it has \$50,000 with which to start the service.

Notice of the application was served according to the Commission's rules and was published in the Commission's Daily Calendar. There are no protests. A public hearing is not necessary.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the proposed service.
3. The rates proposed in the application are deemed reasonable.
4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion of Law

Public convenience and necessity have been demonstrated and a certificate 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 Foothill's Flyer, Inc. 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-5812, 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 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 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 is effective today.

Dated JUL 19 1989, at San Francisco, California.

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

Commissioner Patrick M. Eckert,
being necessarily absent, did
not participate.

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

Victor Weiss
Victor Weiss, Executive Director

T/TEE/tec

Appendix PSC-5812

Foothill Flyer, Inc.

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-5812

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 07 051, dated
JUL 19 1989 of the Public Utilities Commission of the
State of California in Application 89-05-054.

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Issued by California Public Utilities Commission.

Decision 99 07 051, Application 89-05-054.

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

Foothill Flyer, 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, on an on-call, door-to-door basis, between points in Placer County, Nevada County and Sacramento over and along the routes described in Section 3, 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) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (c) No passengers shall be transported except those having a point of origin or destination at Sacramento International Airport (SMA), Sacramento Amtrak Station, Roseville Amtrak Station or Colfax Amtrak Station.
- (d) 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 provided, and shall include the description of the boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.

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SECTION 2. SERVICE AREA DESCRIPTION.

PLACER COUNTY AND NEVADA COUNTY SERVICE AREA.

Includes all following cities, towns and surrounding areas:

Nevada City, Grass Valley, Chicago Park, Colfax, Weimar, Heather Glen, Applegate, Meadow Vista, Clipper Gap, Christian Valley, Bowman, Auburn, Lake of the Pines, Lake Wildwood, Ophir and Newcastle.

SECTION 3. ROUTE DESCRIPTIONS.

Route 1. SMA/AMTRAK ON-CALL DOOR-TO-DOOR SERVICE

Commencing at Sacramento International Airport, Sacramento Amtrak Station, Roseville Amtrak Station or Colfax Amtrak Station then via the most convenient streets and highways to any point within the service area described in Section 2.

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