

Decision 89 09 077

SEP 27 1989

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
John B. Berrisford, DBA Desert )  
Shuttle, for authority to operate )  
as a passenger stage business )  
between points in all cities in the )  
Coachella Valley and the Los Angeles )  
International Airport and Ontario )  
International Airports. )

Application 89-06-057  
(Filed June 29, 1989)

O P I N I O N

John B. Berrisford (applicant) seeks authority to operate between certain points in the Counties of Riverside and San Bernardino, on the one hand, and the Los Angeles International Airport and the Ontario International Airport, on the other hand. The points are the cities of Coachella, Indio, La Quinta, Palm Desert, Rancho Mirage, Cathedral City, Palm Springs, and Desert Hot Springs.

Applicant proposes to perform a regularly scheduled service on a six-day per week basis. This will be a 24-hour service, 312 days a year. Only passengers originating at or destined to Los Angeles International and Ontario International Airports will be carried. Applicant will begin the proposed service with a 1989 12-passenger van.

Applicant's vehicle will be garaged at 64951 Ray Court, Desert Hot Springs, CA 92240 and will be serviced and maintained in Palm Springs. Applicant alleges that it has sufficient financial resources to institute and operate the proposed service, showing a balance sheet (unaudited) with a net worth in excess of \$200,000.

Applicant states that the granting of the authority would have no significant adverse effect upon the environment of the areas to be serviced. On the contrary, the availability of this

service would be a benefit to the environment and to the public by a reduction of private vehicles on the roads.

Applicant states that public convenience and necessity require granting of this application because the service offered by applicant is different and distinct from any public transportation currently being offered to the public in the proposed area. Pick-up points, i.e., hotels and/or private residences at the proposed fares, make it more convenient and more affordable to most passengers than luxury limousine service.

There are no protests. The application should be granted.

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 John B. Berrisford, authorizing him to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, between the points and over the routes set forth in Appendix PSC-5870, 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 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.

This order is effective today.

Dated SEP 27 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

Commissioner Frederick R. Duda,  
being necessarily absent, did  
not participate.

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

*Wesley Franklin*

WESLEY FRANKLIN, Acting Executive Director

*JB*

T/MEE/ebi

Appendix PSC-5870

John B. Berrisford

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-5870

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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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Issued under authority of Decision 89 09 077, dated  
SEP 27 1989 of the Public Utilities Commission of the  
State of California in Application 89-06-057.

I N D E X

	<u>Page</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.....	2
SECTION 2. SERVICE AREA DESCRIPTION.....	3
SECTION 3. ROUTE DESCRIPTIONS.....	3

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Decision 89 09 077, Application 89-06-057.

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

John B. Berrisford, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage coach to provide on-call, door-to-door services to transport passengers and their baggage between points in the Coachella Valley, described in Section 2, and Los Angeles International (LAX) and Ontario (ONT) Airports, 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 authorities 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 LAX or ONT.
- (d) The term "on-call" as used refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs 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.

All points within the geographical limits of the following cities in the Coachella Valley:

Indio, La Quinta, Palm Desert, Rancho Mirage, Cathedral City, Palm Springs, and Desert Hot Springs.

SECTION 3. ROUTE DESCRIPTIONS.

Route 1. ON-CALL, DOOR-TO-DOOR SERVICE

Commencing at LAX, or ONT then via the most convenient streets and highways to any point within the authorized service area described in Section 2.

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