

Decision 89 10 014

OCT 1 2 1989

~~CONFIDENTIAL~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 John E. Kindt, Jr., d/b/a Prime Time)
 Limousine Service, for a certificate)
 of public convenience and necessity)
 to extend his passenger stage service)
 between communities in the County of)
 Ventura on the one hand and Los)
 Angeles International, Burbank, Long)
 Beach, Ontario International, John)
 Wayne Airports, and Long Beach, San)
 Pedro Harbors, on the other hand.)
 _____)

ORIGINAL

Application 89-03-037
(Filed March 24, 1989)

OPINION

John E. Kindt, Jr., doing business as Prime Time Limousine Service, presently operates on-call passenger stage corporation service between Los Angeles International, Burbank, John Wayne, Ontario, and Long Beach Airports, and Long Beach and San Pedro Piers, on the one hand, and points in Los Angeles, Orange, San Bernardino, and Ventura Counties, on the other hand (PSC-1424).

Applicant now seeks to extend his passenger stage authority to include five additional communities in Ventura County: Westlake Village, Thousand Oaks, Newbury Park, Camarillo, and Lake Sherwood.

Notice of filing of the application appeared in the Commission's Daily Transportation Calendar on March 29, 1989. 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.

The application was protested by Great American Stageline, Inc., but on May 24, 1989, protestant and applicant filed a stipulation whereby the protest was withdrawn in

consideration of applicant's agreement not to serve the following bus stops utilized by protestant: Bob's Big Boy Restaurant, 301 E. Daily Drive, Camarillo; Dupar's Restaurant, 33 W. Thousand Oaks Boulevard, Thousand Oaks.

As the sole protest has been conditionally withdrawn, Transportation Division recommends ex parte handling of the application.

A balance sheet dated December 31, 1988 attached to the application shows total assets of \$486,746 and total capital of \$2,815.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. A protest to the application was filed and later withdrawn.
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 the sole protest filed has been withdrawn, 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. PSC-1424 is amended by: Second Revised Page 5 attached to this decision which cancels First Revised Page 5.

2. Applicant shall:

- a. File a written acceptance of the amended 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 Public Utilities 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 the airport authority involved in addition to this certificate.

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 OCT 12 1989, at San Francisco, California.

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

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

Wesley Franklin

WESLEY FRANKLIN, Acting Executive Director

T/MEE/ebi

Appendix PSC-1424

John E. Kindt, Jr.

Second Revised Page 5
Cancels
First Revised Page 5

SECTION 3. SERVICE AREA DESCRIPTION (continued)

Ventura County

All points within the following cities/communities and postal zip codes:

| City/Community | Zip Code |
|-------------------|--------------|
| Moorpark | 93021 |
| Simi Valley | 93063, 93065 |
| *Lake Sherwood | 91361 |
| *Newbury Park | 91320 |
| *Camarillo | 93010 |
| *Thousand Oaks | 91362 |
| *Westlake Village | 91360 |

*Exceptions:

No passengers shall be picked up from the following designated bus stops used by Great American Stageline, Inc.:

Camarillo - Bob's Big Boy Resturant
301 E. Daily Dr.

Thousand Oaks - Dupar's Resturant
33 W. Thousand Oaks Blvd.

Issued by California Public Utilities Commission.

*Revised by Decision

89 10 014

, Application 89-03-037.