

Decision 89 11 002 NOV 0 3 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
SAN-SUI TOUR & TRAVEL, INC., for )  
authority to operate a passenger )  
stage corporation between points )  
in the Los Angeles County and )  
LAX Airport. )

Application 89-01-046  
(Filed January 30, 1989)

Ching-Kai Peter Chen, for San-Sui Tour &  
Travel, Inc., applicant.  
S. E. Rowe, by K. D. Walpert, for the Department  
of Transportation, City of Los Angeles,  
protestant.  
MacDonald Ebi Esule, for the Transportation  
Division.

OPINION

San-Sui Tour & Travel, Inc. (San-Sui), a California corporation, requests authority under Public Utilities (PU) Code § 1301, et seq. to establish and operate an on-call passenger stage corporation service for the transportation of passengers and their baggage between points in Los Angeles County, on the one hand, and Los Angeles International Airport (LAX), on the other hand.

A protest having been filed by the Los Angeles Department of Transportation (City), a duly noticed public hearing was held before Administrative Law Judge Orville I. Wright in Los Angeles on June 6, 1989. The matter was submitted upon the filing of the transcript on July 11, 1989.

Applicant's Evidence

Applicant is a travel agency whose clientele consists mainly of tourists from Taiwan. These customers, most of whom are not proficient in the English language, depend upon applicant for airline tickets, tours and accommodations in their visits to the United States.

Applicant seeks a certificate of public convenience and necessity so that it may serve Chinese-speaking travelers by arranging for its van driver to go to LAX, park in the airport parking lot, and meet arriving customers at the airline gate or baggage area. San-Sui states that it has been in the travel business for seven months and currently does a gross business of from \$40,000 to \$50,000 per month.

The travel agency owns one 1989 seven-passenger Toyota van and a 1986 15-passenger Dodge van.

A balance sheet was submitted showing \$83,000 total assets, including \$18,000 cash in bank, and net worth of \$74,000 as of March 21, 1989.

#### City's Evidence

City's participation in the hearing developed the record with respect to financial projections and the ability of applicants to conduct the sought service. Applicants' projected annual income statement was shown to have omitted some expenses, overestimated revenue, and was largely conjecture.

City produced two witnesses who testified to the heavy traffic congestion at LAX and who also expressed the opinion that there is adequate on-call, door-to-door transportation at the present time.

#### Discussion

Need for applicants' service has been shown in this proceeding by evidence that applicant intends only to pick up and deliver its own pre-ticketed customers at LAX, thus assuring reasonable ridership of the vehicles that it will employ in service.

While applicant's revenue and expense projections have been shown to be unreliable, its balance sheet shows significant assets to support the limited transportation function it proposes to perform.

City's testimony that there is adequate on-call service at LAX is based on visual observations of vans leaving the airport by two employees, each of whom admitted that no attempt was made to conduct a definitive study.

With respect to airport congestion, we note that the Los Angeles Department of Airports (LADOA) first filed a protest to the application, but withdrew its protest prior to the hearing. LADOA is not a party to this proceeding, and that agency's permission to enter LAX must be obtained in addition to certification by this Commission if the proposed operation is to go into effect.

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. 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 this application is essentially an adjunct to an existing travel service, the order should be effective on date of signing.

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 San-Sui Tour & Travel, 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-5466, 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.

This order is effective today.

Dated NOV 03 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

*JB*

T/MEE/ebi

Appendix PSC-5466

San-Sui Tour & Travel, Inc.

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-5466

---

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 11 002, dated  
NOV 03 1989 of the Public Utilities Commission of the  
State of California in Application 89-01-046.

T/MEE/ebi

Appendix PSC-5466

San-Sui Tour & Travel, Inc.

Original Page 1

I N D E X

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

Issued by California Public Utilities Commission.

Decision 89 11 002, Application 89-01-046.

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

San-Sui Tour & Travel, Inc., 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 Los Angeles County, described in Section 2, and Los Angeles International Airport (LAX), 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 LAX.
- (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.

Issued by California Public Utilities Commission.

Decision 89 11 002, Application 89-01-046.

SECTION 2. SERVICE AREA DESCRIPTION.

All points within the following cities or zip code areas in Los Angeles County:

|                |                     |
|----------------|---------------------|
| Alhambra       | 91801, 91803        |
| Arcadia        | 91006               |
| El Monte       | 91731, 91732, 91733 |
| Monterey Park  | 91754               |
| Rosemead       | 91770               |
| San Marino     | 91108               |
| South Pasadena | 91030               |
| San Gabriel    | 91775, 91770        |
| Temple City    | 91780               |

SECTION 3. ROUTE DESCRIPTION.

ON-CALL DOOR-TO-DOOR SERVICE

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

Issued by California Public Utilities Commission.

Decision 89 11 602, Application 89-01-046.