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Decision 90 01 043 JAN 24 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
Dependable Commuter Service or )  
Joseph D. Scott for authority to )  
operate a home to work passenger )  
stage corporation service between )  
points, San Jose, Fremont, )  
Milpitas, and San Francisco )  
Airport. )

ORIGINAL

Application 89-11-009  
(Filed November 15, 1989)

O P I N I O N

Joseph D. Scott (applicant), doing business as Dependable Commuter Service, proposes to provide home-to-work service to carry passengers and their baggage between certain points in the cities of San Jose, Milpitas, and Fremont on the one hand, and the United Airlines Maintenance Base, North parking lot, South San Francisco, on the other hand.

Applicant previously provided this service (PSC-1445) in 1987 under authority granted by Decision 87-06-037 dated June 24, 1987, in Application 87-04-065. Applicant proposes to run the same route, but from several different locations.

The service will be performed on a regularly scheduled basis, each morning and evening, Mondays through Fridays. The scheduled service shall be provided to convenience the passengers for commutative purposes to and from the destination.

The proposed fare is \$5 per day or \$20 per week.

Applicant is currently employed by United Airlines. He proposes to use one 37 passenger Eagle 1970 bus and be the driver of the vehicle. He has the proper driver's license to operate the equipment. In the event his bus breaks down applicant will lease a bus from another carrier.

His bus will be covered by liability insurance that will exceed the minimum required under the Commission's General Order 101-C.

Applicant's financial condition as of October 26, 1989, as shown in his balance sheet, marked Exhibit D, discloses total assets of \$67,800, total liabilities of \$8,900 and a net worth of \$58,900.

Applicant has served notice to all city and county governments and regional transportation planning agencies in the territory of its proposed service and routes.

The application was listed in the Commission's Daily Calendar of November 20, 1989. No protest has been received. No public hearing is necessary. The application should be granted by ex parte order.

#### Findings of Fact

1. Home-to-work commuter services play an important role in providing needed public transportation service and in helping to relieve traffic congestion and to conserve energy.

2. On the basis of the information contained in the application, public convenience and necessity require that the proposed service be granted, subject to the conditions more specifically set forth in the following order.

3. This order should be effective on the date of issuance so that the needed service may commence as soon as possible.

5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

6. A public hearing is not necessary.

#### Conclusions of Law

1. The application should be granted as set forth in the following order.

2. The order should be made effective today.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Joseph D. Scott (applicant), to operate as a passenger stage corporation as defined in PU Code Section 226, between the points set forth in Appendix PSC-1445 of this decision, for the transportation of passengers 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. File his tariffs and timetables with at least 10 days' notice to the Commission and the public and made effective on 10 or more days after the date of this order.
- d. Comply with General Orders Series 157, 158, 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.
- g. Pay the application filing fee of \$500.

3. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to the applicant that he has evidence of insurance on file with the Commission, the California Highway Patrol has approved the use of applicant's vehicles for service and he has complied to the above ordering paragraph 2.

4. The application is granted as set forth above.

This order is effective today.

Dated JAN 24 1990, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUOA  
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

*13*

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-1445

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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 90 01 043  
dated JAN 24 1990, of the Public Utilities Commission  
of the state of California in Application 89-11-009.

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Issued by California Public Utilities Commission.

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

Joseph D. Scott, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport only home-to-work passengers and their baggage between points and areas described in Section II subject, however, to the authority of this Commission to change or modify the routes or service areas 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. Service will be operated only at the designated service points and service areas listed in Sections II.
- c. Service shall be operated on a scheduled basis. Such schedules shall be the timetable filed with the Commission.
- d. Home-to-work passengers means persons who are transported from their home locations to their work locations and or vice versa.

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SECTION II. ROUTE DESCRIPTION.

ROUTE A: San Jose - United Airlines Maintenance Base, North Parking Lot

Commencing from the following points:

1. VIP Pizza , Blossom Hill Road, San Jose
2. Capital Expressway and McLaughlin, San Jose
3. McKee and Jose Figueroa, San Jose
4. Landess Avenue and Park Victoria, Milpitas
5. Stevenson Boulevard and Blacow Road, Fremont

Then proceeding along the most appropriate streets and highways to United Airlines Maintenance Base, North Parking Lot, at San Francisco International Airport.