

ALJ/BRS/jc

Decision 90 03 077 MAR 28 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 SFO AIRPORTER, INC., a California )  
 corporation, for authority to )  
 provide service between designated )  
 points in San Mateo County, on the )  
 one hand, and San Francisco, on the )  
 other hand. )

Application 89-10-056  
 (Filed October 31, 1989)

O P I N I O N

SFO Airporter, Inc. (Airporter) is a passenger stage corporation operating out of San Francisco. It holds a certificate of public convenience and necessity authorizing the transportation of passengers, baggage, and express between San Francisco International Airport (SFO) and points within the City and County of San Francisco.

By this application Airporter seeks to expand the authority by adding service between certain identified hotels located near SFO and points in San Francisco. Airporter alleges that the proposed service will enhance its financial position and improve its ability to serve the public, since the expanded service will make greater and more efficient utilization of its existing fleet of 24 vehicles. The rates proposed to be charged are \$6 one-way and \$12 round trip.

Airporter states that many visitors and travelers to the San Francisco Bay Area choose to stay at the hotels located near SFO rather than in downtown San Francisco. The proposed service will make available to those individuals service similar to that provided by Airporter between SFO and San Francisco. Airporter alleges that current service within the area of the proposed operation is limited.

Airporter proposes to operate the service on a scheduled basis each hour from 8:00 a.m. to 8:00 p.m. The service will begin on the hour from the Hyatt Regency Hotel in Burlingame and run northbound to San Francisco with regularly scheduled stops at the SFO Marriott Hotel in Burlingame, the Westin Hotel in Millbrae, and SFO Hilton Hotel. Flag service will be offered at the other hotels indicated in Appendix C attached to the application. A map of the proposed route of service is attached to the application as Appendix D.

Airporter furnished a profit/loss statement in Appendix A attached to the application, which indicates a net profit of \$88,610 on total revenues of \$2,087,457, for the first nine months of 1989.

Airporter provided notification of the application to the city and county government entities involved, and to common carriers with which the proposed service is likely to compete. Notice of filing of the application appeared on the Daily Transportation Calendar of November 15, 1989.

The Transportation Division (TD) reviewed the application and recommends that in the absence of protest, the application be granted by ex-parte order.

No protests have been received; therefore, a hearing is not necessary.

The certificate authority requested by Airporter is in the public interest. The additional service between hotels located near SFO and San Francisco should promote utilization of Airporter's services. As noted in the application, the availability of the proposed service should benefit the environment and the public through the resultant reduction of private vehicles on the road.

TD prepared a proposed certificate of public convenience and necessity which reflects Airporter's request.

Findings of Fact

1. Airporter currently provides passenger stage service between SFO and San Francisco.
2. Airporter proposes to conduct regularly scheduled service hourly from 8:00 a.m. to 8:00 p.m. from the Hyatt Regency and S. F. Airport Marriott Hotels in Burlingame, the Westin Hotel in Millbrae, and S. F. Airport Hilton Hotel, to San Francisco, with flag service at other hotels indicated in Appendix C attached to the application.
3. No protest to the application has been received.
4. Public convenience and necessity require that the proposed service expansion be established.
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.

Conclusions of Law

1. Public convenience and necessity have been demonstrated and the application should be granted as set forth in the order.
2. The order should be effective on the date signed because public convenience requires prompt commencement of the proposed service.

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 features of these rights at any time.

ORDER

IT IS ORDERED that:

1. A reissued certificate of public convenience and necessity is granted to SFO Airporter, Inc. (Airporter), a corporation, authorizing it to operate as a passenger stage corporation, as defined in Public Utilities Code § 226, between the

points and over the routes set forth in Appendix PSC-37, to transport persons, baggage, and express.

2. Airporter 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 ten days' notice to the Commission; and make timetables and tariffs effective ten 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.

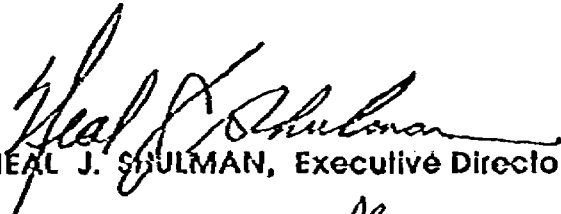
3. The certificate of public convenience and necessity granted in Paragraph 1 shall supercede that granted by Decision 90107, as amended by Resolution PE 2402. That certificate is revoked on the effective date of the tariff filings required by Paragraph 2.b.

4. Prior to initiating service to any airport, Airporter shall notify the airport 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.

5. The application is granted as set forth above.  
This order is effective today.  
Dated MAR 28 1990, 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

  
NEAL J. SHULMAN, Executive Director  
AB

T/MM/mm

Appendix PSC-37

SFO AIRPORTER, INC.

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-37

-----  
Showing passenger stage operative rights, restrictions, limitations,  
exceptions, and privileges.

The certificate herein supersedes all operative authority heretofore  
granted to SFO, Airporter, Inc.

-----  
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 90 03 077,  
dated MAR 28 1990, of the Public Utilities Commission of the  
State of California in Application 89-10-056.

T/MM/mj

Appendix PSC-37

SFO AIRPORTER, INC.

Original Page 1

I N D E X

	Page
SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS .....	2,3
SECTION II. SERVICE AREAS .....	4
SECTION III. ROUTE DESCRIPTIONS .....	5

Issued by California Public Utilities Commission.

Decision 90 03 077, Application 89-10-056.

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

The authority granted herein supersedes all authority heretofore granted to SFO Airporter, Inc., to operate as a passenger stage corporation.

SFO Airporter, Inc., by the certificate of public convenience and necessity granted by decision noted in the margin, is authorized to transport passengers, baggage, and express over the routes and between the points and the airports, described in Sections II and III, subject, however, to the authority of this Commission to change or modify the route 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 the airport authority involved.
- b. When route description is given in one direction, it applies to operation in either direction unless otherwise indicated.
- c. No passengers shall be transported except those having point of origin or destination at either of the airports as described in Section II or on Route 7 as described in Section III.
- d. Express service shall be restricted to packages not exceeding one hundred pounds which either originate at or are destined to the San Francisco International Airport.

Issued by California Public Utilities Commission.

Decision 90 03 077, Application 89-10-056.



SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,  
AND SPECIFICATIONS. (Continued)

- e. Service to Berkeley shall be "on-call" for twenty or more passengers upon twenty-four hours' notice to the carrier except that regularly scheduled service shall be provided during the holiday periods of Easter, Thanksgiving and Christmas and during semester and quarter breaks at the University of California.
- f. 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 rendered.

Issued by California Public Utilities Commission.

Decision 90 03 077, Application 89-10-056.

SECTION II. SERVICE AREAS.

CITIES

San Francisco, Oakland, Alameda, Berkeley, and the Oakland Army Base.

AIRPORTS

San Francisco International Airport  
Oakland International Airport

SAN MATEO PENINSULA HOTELS

Burlingame

Holiday Inn Crowne Plaza, Embassy Suites Burlingame, Days Inn, Hotel Ibis, Sheraton Inn, Amfac Hotel, Hyatt Regency, Marriott S.F. Airport, and Vagabond Inn.

Millbrae

Westin Hotel and Clarion

South San Francisco

Ramada Inn, Hilton/Airport, Holiday Inn, Grosvenor Airport Inn, Radisson Inn, Travel Lodge, Comfort Suites, Embassy Suites, and Hotel La Quinta.

SECTION III. ROUTE DESCRIPTIONS.

ROUTES

San Francisco International Airport Service

1. Between the City of San Francisco and San Francisco International Airport.
2. Between the Cities of Oakland and Berkeley, on the one hand, and San Francisco International Airport, on the other hand.

Oakland International Airport Service

3. Between the Cities of Oakland, Berkeley, and Alameda and the Oakland Army Base, on the one hand, and Oakland International Airport.

San Mateo Peninsula Hotels Service

4. Between the San Mateo Peninsula Hotels as described in Section II and the City of San Francisco.