

ORIGINAL

Decision 90 08 006 AUG 8 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Vision, Inc., dba High Desert Shuttle)
(HDS), for authority to operate as)
a passenger stage corporation between)
points in San Bernardino County,)
Palm Springs, Ontario, and Los)
Angeles (LAX) Airports.)

Application 89-11-006
(Filed November 9, 1989)

O P I N I O N

Vision, Inc., doing business as High Desert Shuttle (applicant), currently operates a shuttle service in the State of West Virginia, and is authorized by the Interstate Commerce Commission to operate interstate.

Applicant has obtained a Certificate of Qualification in California to transact intrastate business, subject to any other California licensing requirements.

By this application, applicant seeks authority to operate on-call, door-to-door transportation service between Twenty Nine Palms including the Marine Corps Air Ground Combat Center (MCAGCC), Joshua Tree, Yucca Valley, Landers, Pioneertown, and Morongo Valley in San Bernardino County, and the Palm Springs, Ontario, and Los Angeles (LAX) airports. Applicant proposes one-way fares ranging from \$12 to \$52, and corresponding round-trip fares from \$23 to \$98, as shown in Exhibit "D" attached to the application. Applicant proposes to operate seven days a week from 6:00 a.m. to 11:00 p.m., providing on-call, door-to-door service for passengers and their baggage between the locations mentioned above.

Applicant had assets and liabilities of \$51,295, and a net worth of approximately \$21,000 as of September 30, 1989, according to the balance sheet attached to the application.

The Commission Transportation Division (TD) reviewed application, and supports the request. TD prepared a draft certificate authorizing the service requested.

The Los Angeles Department of Airports (LADOA) protested the application since it is required to oppose all new passenger stage corporation applications before the Commission requesting authority to serve LAX during the interim moratorium imposed by LADOA that is currently in effect.

A public hearing was held in Los Angeles on February 13, 1990. The matter was submitted subject to receipt of transcript and a late-filed exhibit.

On April 4, 1990, the Los Angeles Board of Airport Commissioners approved Resolution No. 17071, which exempts applicant from the interim moratorium, with regard to service from LAX to the cities proposed to be served. As a result, there is no longer any opposition to the proposed service.

Desert states that the proposed service is needed for the following reasons:

1. The service is different from any public transportation system currently available in the proposed areas.
2. There is a public need for the proposed service.
3. The service will be more personal, comfortable, and convenient to passengers.

Applicant notes that it has four years of experience in passenger stage service and is currently providing safe and reliable service in West Virginia. Applicant believes the proposed service will benefit the public and the environment by reducing the number of private vehicles on the road.

Three letters supporting the proposed service were sent; one from Desert Winds Travel, Inc. of Twenty Nine Palms, to the Commission, and two to the LADOA, from Robert Meneely of MCAGCC and

from Jeanine Zmuda who is employed at MCAGCC. The three letters indicate a need for the proposed service, for Marines and employees at MCAGCC, and for the general population of the high desert area.

Two witnesses also testified that the proposed service is needed for marines and for the residents, many of whom are elderly; some no longer drive.

Comments

No comments were filed on the proposed decision which was mailed on June 28, 1990.

Findings of Fact

1. Applicant request authority to operate on-call door-to-door transportation service between Twenty Nine Palms including the MCAGCC, Joshua Tree, Yucca Valley, Landers, Pioneertown, and Morongo Valley in San Bernardino County, and the Palm Springs, Ontario, and LAX airports.

2. Applicant currently operates passenger stage service in West Virginia.

3. Applicant has the experience and financial ability to perform the proposed service.

4. Applicant has demonstrated a need for the service proposed in the application.

5. The Los Angeles Board of Airport Commissioners exempted applicant from the interim moratorium at LAX, with regard to service from LAX to the cities proposed to be served in the application.

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

7. Applicant has demonstrated that the service should begin as soon as possible.

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 feature of these rights at any time.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Vision, Inc. for authority 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-6147 to transport persons 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 showing the mandatory or reservation-only stops within 120 days after this order is effective.
- c. State in his tariffs and timetables when service will start, allow at least 10 days of notice to the Commission, and make the timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with the General Order Series 101, 104, and 158, 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. Before beginning service to any airport, applicant shall notify the airport's governing body. Applicant shall not operate into or on airport property unless such operations are also authorized by the airport's governing body.

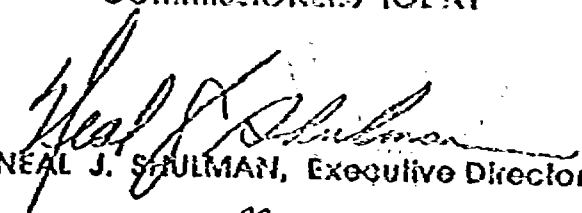
4. Applicant is authorized to begin the expanded operations on the date the Executive Director mails a notice to applicant that it has evidence of insurance on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

5. This application is granted as set forth above.
This order is effective today.

Dated AUG 8 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. SCHULMAN, Executive Director
PB

T/MEE/ebi

Appendix PSC-6147

Vision, Inc.

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-6147

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 90 08 006,
dated AUG 8 1990 of the Public Utilities Commission
of the State of California in Application 89-11-006.

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

Vision, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to transport passengers and their baggage, on an on-call, door-to-door basis, between points in San Bernardino County, described in Section 2, and Los Angeles International (LAX), Ontario (ONT), and Palm Springs Regional (PSP) 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 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, ONT, or PSP.
- (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 90 08 006, Application 89-11-006.

SECTION 2. SERVICE AREA DESCRIPTION

All points within the geographical limits of the following cities and zip code communities in San Bernardino County:

<u>City/Community</u>	<u>Zip Code</u>
29 Palms (City of)	92277
Joshua Tree	92252
Yucca Valley	92284
Landers	92284
Pioneertown	92268
Morongo Valley	92256
Marine Corps Base	92278

SECTION 3. ROUTE DESCRIPTION

ON-CALL, DOOR-TO-DOOR SERVICE

Commencing at LAX, ONT, or PSP 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 30 08 006 , Application 89-11-006.