

Decision 90 12 113 DEC 27 1990

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Bay Area Airport Shuttle, Inc.)
for authority to operate as a)
passenger stage corporation between)
points in Sacramento County and both)
the San Francisco and Oakland)
International Airports.)

Application 90-08-030
(Filed August 14, 1990)

O P I N I O N

Bay Area Airport Shuttle, Inc. (applicant) requests authority to operate as a passenger stage corporation between points in Sacramento and Yolo Counties and both the San Francisco and Oakland International Airports. Applicant proposes to offer a door-to-door pickup service which would feed into points on a regularly scheduled route.

On August 21, 1990, notice of this application appeared on the Commission's Daily Transportation Calendar. No protests to the application were filed. The Commission Transportation Division (TD) recommends that the application be granted ex parte. Therefore, no hearings are needed.

Applicant is a California corporation owned by four shareholders. Three of the shareholders will provide venture and operating capital while the fourth shareholder operates the proposed service. The proposed business will employ the services of a qualified accountant for accounting and payroll matters. The operating shareholder is a taxi driver with a college degree and management education. Therefore, the operating shareholder is qualified to operate the proposed business.

Applicant proposes to perform regularly scheduled service over a regular route six days per week. The service proposed is four trips a day from Monday through Friday and two trips on

Saturday. Sunday service will be provided if public demand so dictates. Door-to-door pickup service will be provided for an additional fee based upon the zone of origination. In Exhibit B attached to the application, applicant provides a map showing the regular routes, zones of pickup for additional fees, and the areas proposed to be served.

Applicant proposes to render the proposed service in two 12-passenger vans. Applicant represents he will provide liability insurance for these vehicles in amounts that exceed the minimum insurance required by General Order 101-E. Applicant's vehicles will be serviced and maintained pursuant to all applicable state requirements.

Applicant proposes a one-way fare of \$35 and rules to govern the provision of service. The proposed fare and governing rules are comparable to its existing competitors and are, therefore, reasonable.

The application indicates that applicant has \$39,300 cash on hand to start the proposed service and no liabilities. Based upon a range of 15-45 total daily passengers transported, applicant projects for the first year of operation a profit ranging from a loss of \$6,220 to a profit of \$250,090.

On September 21, 1990, pursuant to an inquiry by the TD, applicant revised the following calculations in the application: cash on hand - \$22,175; 30-45 total estimated daily passengers; and projected profits of \$6,314 to \$222,634 for the first year of operation. Based upon this information, we conclude that applicant's financial ability is satisfactory.

Findings of Fact

1. Applicant has the ability and financial resources to perform the proposed service.
2. The Commission has considered the effect of applicant's proposed services on the operations of public transit operators serving the territories applicant requests authority to serve.

3. It can be seen with certainty that there is no possibility that the proposed service will have a significant adverse impact on the environment.

4. No protests or requests for hearing have been filed.

5. A public hearing is not necessary.

Conclusion of Law

Public convenience and necessity have been shown and applicant should be granted a certificate.

Only the amount paid to the State for operating rights may be used in rate fixing. The State may grant any number of these 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 Bay Area Airport Shuttle, Inc., a corporation, to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, between the points and over the routes set forth in Appendix PSC-6792, 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 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 operations on the date that the Executive Director mails a notice to applicant that its evidence of insurance is on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

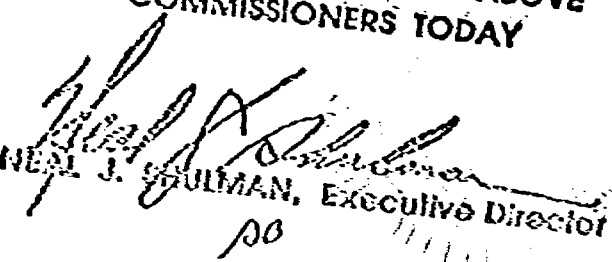
5. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated DEC 27 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. SPULMAN, Executive Director

T/KMP/kmp

Appendix PSC-6792

Bay Area
Airport Shuttle, Inc.

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-6792

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 12 113, dated
DEC 27 1990 of the Public Utilities Commission of the
State of California in Application 90-08-030.

T/KMP/kmp

Appendix PSC-6792

Bay Area
Airport Shuttle, Inc.

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Issued by California Public Utilities Commission.

Decision 90 12 113, Application 90-08-030.

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

Bay Area Airport Shuttle, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage on a scheduled basis between points in Sacramento and Yolo Counties and both the San Francisco and Oakland Airports. Bay Area Airport Shuttle is also authorized to transport passengers and their luggage on an "on-call" basis from Sacramento and Yolo Counties to points on the regularly scheduled route. Both services, however, are subject to the authority of this Commission to change or modify the route 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) 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 is rendered.
- (c) The tariffs and timetables shall specify the days when scheduled service will be operated, and shall also show the exact locations of the scheduled stops.
- (d) No passenger shall be transported except those having a point of origin or destination at San Francisco and Oakland International Airports.
- (e) This certificate does not authorize the holder to conduct any operation on the property of or into any airport unless such operation is authorized by the airport authority involved.

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SECTION 2. SERVICE AREA DESCRIPTION

ON-CALL

Zone 1: All of West Sacramento. In Sacramento County, the area includes the west boundary of the Sacramento River, the east boundary of Alhambra Boulevard, the north boundary of C Street, and the south boundary of Broadway.

Zone 2: South of Broadway following Interstate 5 to the Riverside underpass, then the Sacramento River to the Sacramento Drainage Canal, east of Pocket Road, which becomes Meadowview, then becomes Mack Road, then becomes Elsie Avenue. Then Power Inn Road to Gerber Road to the east boundary of Elk Grove Florin Road which becomes South Watt Avenue then becomes Watt Avenue with the east boundary joining the north boundary at I-80. The north boundary will be I-80 from Watt to the Sacramento River.

Zone 3: South boundary of Gerber Road at Elk Grove Florin Road to Bradshaw to Florin Road to Sunrise boulevard. East Boundary is Sunrise Boulevard, from Florin Road to I-80. North boundary is I-80 to Watt then north on Watt to Elkhorn Boulevard to the Garden Highway. West boundary is the Garden Highway of I-5 and the east boundary of Zone 2.

Zone 4: Includes all of Sacramento County outside of Zone 3 including, Folsom, Elk Grove, Galt, Isleton.

SECTION 3. ROUTE DESCRIPTION

ROUTE 1. (Scheduled)

Commencing from Sacramento County at 2001 Point Way to 1209 L Street, then via the most convenient streets and highways to the Greyhound/Amtrak station in Davis, then over the most convenient streets and highways to the Oakland and San Francisco International Airports.

ROUTE 2. (On-call)

Commencing from any point in the zones described in Section 2, then via the most convenient streets and highways to stops on the scheduled route.

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