

AUG 7 1991

Decision 91-08-005 August 7, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Capitol Airport Express for authority to operate an airport shuttle passenger stage corporation service between any point in Sacramento County, West Sacramento in Yolo County and Sacramento Metropolitan Airport, with a particular focus on Rancho Cordova, Elk Grove, Florin Pocket Area, Greenhaven, and Folsom.

ORIGINAL

Application 91-03-013

(Filed March 5, 1991)

OPINION

Capitol Airport Express, a corporation with headquarters in Sacramento, seeks authority under Public Utilities (PU) Code § 1031 et seq. to operate on-call transportation service between Sacramento County, West Sacramento in Yolo County, and Sacramento Metropolitan Airport.

Applicant will serve the Greater Sacramento, West Sacramento, and Folsom area, as shown in Exhibit D of the application. The proposed service area is described as follows:

From the intersection of its prolongation with the Sacramento River, east on Elk Grove Boulevard, north on Grant Line Road, White Rock Road, Sacramento County Line, west on Sacramento County Line, south on Watt Avenue, west on Elverta Road, south on East Drainage Canal, south on Interstate 80, south on Enterprise Boulevard, east on Sacramento River deep water channel, south on Sacramento River to the prolongation of Elk Grove Boulevard.

Applicant plans to purchase a seven-passenger Ford van, and will lease another passenger van from a rental company in the event of a breakdown.

Applicant proposes one-way fares ranging from \$8 to \$23, with children under 10 years of age charged half fare, as shown in

Exhibit B of the application. Applicant proposes to operate seven days per week from 4:00 a.m. to 12:00 midnight.

Applicant had a net worth of approximately \$62,000 as of February 27, 1991, according to the balance sheet attached to the application as Exhibit C.

Applicant alleges a growing need for the proposed service, considering the anticipated growth to the year 2000 in the Sacramento region. The Transportation Division recommends that the application be granted by ex parte order.

Findings of Fact

1. Applicant served a copy of the application by mail upon each public transit operator operating in the territory applicant seeks to serve.
2. Notice of filing of the application appeared in the Commission's Daily Transportation Calendar on March 14, 1991.
3. No protests have been filed.
4. No protest to the application has been received from any public transit operator serving the territory applicant proposes to serve.
5. Applicant has the financial resources to perform the proposed services.
6. It can be seen with certainty that there is no possibility that the proposed service will have a significant adverse impact on the environment.
7. 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 operative 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 Capitol Airport Express, a corporation, 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 the attached Appendix PSC-7188, to transport 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. 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 ~~MOVING~~ 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 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. Applicant shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

6. The application is granted as set forth above.

This order is effective today.

Dated August 7, 1991, at San Francisco, California.

PATRICIA M. ECKERT  
President  
G. MITCHELL WILK  
JOHN B. OHANIAN  
NORMAN D. SHUMWAY  
Commissioners

Commissioner Daniel Wm. Fessler,  
being necessarily absent, did  
not participate.

**I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY**

*Neal J. Shulman*  
NEAL J. SHULMAN, Executive Director

T/MM/mm

Appendix PSC-7188

Capitol Airport Express  
(a corporation)

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-7188

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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 91-08-005,  
dated August 7, 1991, of the Public Utilities Commission of  
the State of California in Application 91-03-013.

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Issued by California Public Utilities Commission.

Decision 91-08-005, Application 91-03-013.

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

Capitol Airport Express, a corporation, 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 an "on-call" basis, between the points described in Section II, and Sacramento Metropolitan Airport (SMA), over and along the route described in Section 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. 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 will be rendered.
- c. No passengers shall be transported except those having a point of origin or destination at SMA.
- d. 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 II. SERVICE AREA.

Greater Sacramento Area - West Sacramento, Folsom

From the intersection of its prolongation with the Sacramento River, east on Elk Grove Boulevard, north on Grant Line Road, White Rock Road, Sacramento County Line, west on Sacramento County Line, south on Watt Avenue, west on Elverta Road, south on East Drainage Canal, south on I 80, south on Enterprise Boulevard, east on Sacramento River deep water channel, south on Sacramento River to the prolongation of Elk Grove Boulevard.

SECTION III. ROUTE DESCRIPTION.

ON-CALL SERVICE

Commencing from any point or place in the Service Area described in Section II then over the most convenient streets and highways to Sacramento Metropolitan Airport.

Issued by California Public Utilities Commission.

Decision 91-08-005, Application 91-03-013.