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Decision 91-08-016 August 7, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Homer W. Price, an individual, doing)
business as C.V. Commute Service for)
authority to operate as a passenger)
stage corporation in a home-to-work)
service between the points of Dublin,)
Castro Valley, San Leandro, Hayward,)
on the one hand and United Air Lines)
Maintenance Base in South San)
Francisco in San Mateo County.)

ORIGINAL

Application 91-03-004
(Filed March 1, 1991)

OPINION

Homer W. Price, doing business as C.V. Commute Service, requests authority under Public Utilities (PU) Code § 1031, et seq. to establish and operate a home-to-work passenger stage corporation service between Dublin, Castro Valley, San Leandro and Hayward, on the one hand, and United Airlines Maintenance Base in South San Francisco, on the other hand.

Notice of filing of the application appeared in the Commission's Daily Transportation Calendar on March 12, 1991. There have been no protests to the application, and Transportation Division recommends ex parte approval.

Applicant states that he will operate with one 1969 MCI 47 passenger bus. A balance sheet attached to the application shows net worth of \$290,000 as of February 1991.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. No protests to the application have been filed.
3. 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 a certificate should be granted to applicant.
2. As no protests have been filed and there is a public need for the service, this order should be effective immediately.
3. A public hearing is not necessary.

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 Homer W. Price authorizing him 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-7173, to transport persons home-to-work.
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 his 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 his 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. 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, Executive Director

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-7173

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 91-08-016,
dated August 7, 1991 of the Public Utilities
Commission of the State of California in Application 91-03-004.

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Issued by California Public Utilities Commission.

Decision 91-08-016, Application 91-03-004.

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

Homer W. Price, an individual, 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 areas and points described in Sections II and III, respectively, 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 areas and service points listed in Section 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. SERVICE AREAS.

The cities of Dublin, Castro Valley, San
Leandro, and Hayward

Dublin - Dublin Blvd. & Regional
Castro Valley - Grove Way & Center Street
San Leandro - Hesperian & Lewelling
Hayward - Hesperian and Depot Road

United Airlines Maintenance Base - South San Francisco

SECTION III. ROUTE DESCRIPTION.

Commencing from Dublin, at Dublin Boulevard and
Regional, then to the following points:

1. Castro Valley - Grove Way and Center Street
2. San Leandro - Hesperian and Lewelling
3. Hayward - Hesperian and Depot Road

and proceeding along the most appropriate streets and
highways to United Airlines Maintenance Base, South San
Francisco.

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