

Mailed

OCT 23 1991

Decision 91-10-037 October 23, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 DESERT HOLIDAY BROKERS, INC., a)
 California Corporation, dba U.S.A.)
 Shuttle, for a Certificate of Public)
 Convenience and Necessity to extend)
 it's passenger stage service between)
 points in the Los Angeles, Orange,)
 and Ventura Counties on the one)
 hand, and Los Angeles, International)
 Airport (LAX), Burbank (BUR))
 Airport, Long Beach (LGB) Airport,)
 John Wayne Airports, and Long Beach)
 and San Pedro Harbors on the other)
 hand.)

ORIGINAL

Application 91-04-035
 (Filed April 29, 1991)

OPINION

Desert Holiday Broker's, Inc. (applicant), doing business as U.S.A. Shuttle, operates as a passenger stage corporation (PSC-6896) out of Los Angeles. Applicant holds a certificate of public convenience and necessity (CPCN) authorizing it to provide on-call, door-to-door service between the Burbank Airport and certain Los Angeles hotels and terminal points.

By this application, applicant seeks to expand its authority for on-call, door-to-door service between the Los Angeles International, Burbank, Long Beach, and John Wayne Airports, the Long Beach and San Pedro Harbors, and certain areas of Los Angeles, Orange, and Ventura Counties with zip codes as indicated in Appendix A to the application.

Applicant proposes one-way fares ranging from \$6 to \$99. Additional passengers traveling as one group from the same pickup point are allowed discounts of approximately half the single fare. Seniors over 65 years and children between 6 and 12 years of age are granted a 10% discount. Two suitcases and one carry-on bag per

person are carried free, with additional baggage carried at \$3 to \$5 per item.

Applicant proposes to make the on-call door-to-door service available 7 days a week, 24 hours a day.

Applicant had assets and liabilities of \$169,601.26, and net worth of \$213,654.83, as of December 31, 1990, according to the balance sheet attached to the application.

Applicant provided notice to regional transportation agencies, public transit operator, and governmental agencies within whose areas applicant proposes to operate. Notice of filing of the application appeared in the Commission's Daily Transportation Calendar on May 3, 1991.

The Transportation Division (TD) reviewed the application and recommends that, in the absence of protest, the application be granted by ex parte order. There are no protests to the application; therefore, a hearing is not necessary.

The certificate requested by applicant is in the public interest. The additional service to the airports and harbors should promote utilization of applicant'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 CPCN which reflects applicant's request.

Findings of Fact

1. Applicant currently provides on-call, door-to-door service between Burbank Airport and certain Los Angeles hotels and terminal points.

2. Applicant requests authority to expand its on-call, door-to-door service between Los Angeles International, Burbank, Long Beach, and John Wayne Airports, Long Beach and San Pedro Harbors, and certain areas of Los Angeles, Orange, and Ventura Counties with zip codes indicated in Appendix A 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 following order.

2. The order should be effective on the date signed because public convenience and necessity require 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 certificate of public convenience and necessity is granted to Desert Holiday Broker's, Inc., a corporation doing business as U.S.A. Shuttle, 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-6896, to transport persons and baggage, is amended by First Revised Pages 2 and 3 which cancel Original Pages 2 and 3.

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' 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 Public Utilities 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.

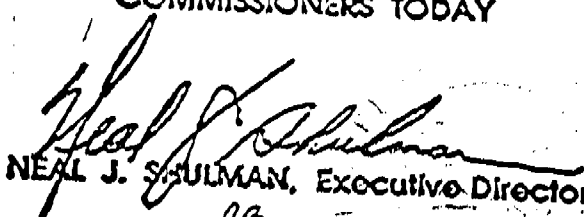
4. Applicant is authorized to begin the expanded operations on the date that the Executive Director mails a notice to applicant that his evidence of insurance is on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

5. Applicant shall comply with Public Utilities Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

6. This application is granted as set forth above.
This order is effective today.
Dated October 23, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SCHULMAN, Executive Director
PB

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

Desert Holiday Broker's, 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-call basis, between *points in the counties of Los Angeles, Orange and Ventura, on the one hand, described in Section 2, and Burbank Airport (BUR), *Los Angeles International Airport (LAX), Long Beach Airport (LGB), John Wayne Airport (SNA), and the Long Beach/San Pedro Harbors, on the other hand, over and along the routes described in Section 3, 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 descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (c) No passengers shall be transported excepted those having a point of origin or destination at BUR, *LAX, LGB, SNA or Long Beach/San Pedro Harbors.
- (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 specific stops.

*Revised by California Public Utilities Commission.

Decision 91-10-037, Application 91-04-035.

SECTION 2. SERVICE AREA DESCRIPTIONS.

Los Angeles County

*All points within the geographical limits of Los Angeles County.

*Orange County

All points within the geographical limits of Orange county.

*Ventura County

All points within the geographical limits of the following cities or communities:

Thousand Oaks (Newbury Park), Ventura, Camarillo, Fillmore, Moorpark, Oakview, Ojai, Oxnard, Piru, Port Hueneme, Point Magu, Santa Paula, Simi Valley and Somis.

SECTION 3. ROUTE DESCRIPTIONS.

Route 1. On-Call Service

Commencing at BUR, *LAX, LGB, SNA or Long Beach/San Pedro Harbors, then via the most convenient streets and highways to any of the hotels/motels described in Section 2.

*Revised by California Public Utilities Commission.

Decision 91-10-037, Application 91-04-035.