

Mailed

Decision 91-11-007 November 6, 1991

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Coronado Livery to expand authority )  
to operate as an "on call" PSC )  
between Downtown San Diego and San )  
San Diego Area communities. In )  
Addition, to increase existing rates )  
between Coronado and San Diego Area )  
communities. )

**ORIGINAL**

Application 91-03-031  
(Filed March 12, 1991;  
amended June 13, 1991)

Carelyn Reynolds, for Coronado Livery,  
applicant.  
Ebi MacDonald Esule, for the Transportation  
Division.

O P I N I O N

Coronado Livery, a California corporation, requests authority under Public Utilities (PU) Code § 1031, et seq. to expand its existing on-call passenger stage corporation authority (PSC-0914) to include door-to-door service between San Diego County communities, on the one hand, and San Diego International Airport, San Diego Santa Fe Train Depot, and San Diego Greyhound Bus Terminal, on the other hand.

A protest to the application having been filed by Shuttle Express International, a duly noticed public hearing was held before Administrative Law Judge Orville I. Wright in San Diego on August 22, 1991. Protestant did not appear for the hearing.

Applicant's evidence included a balance sheet dated March 31, 1991, showing total assets of \$99,759 and equity of \$50,963, together with letters from a number of innkeepers in the San Diego area attesting that applicant has provided quality airport transportation service from Coronado Livery since 1969.

Applicant's representative was accompanied to the hearing by 15 persons who, it was stipulated, would testify that they used

applicant's service, found it satisfactory, and would patronize it further if additional authority were granted.

Waiver of Proposed Decision

It is common in the case of airport shuttle service applications for applicants to move to waive the filing of and comment on the proposed decision (Rule 77.1, Rules of Practice and Procedure), which motion has been uniformly granted.

While applicant in this instance has not requested waiver of the comment procedure, we will make and grant such action on our own motion as the uncontested evidence essentially shows the expansion of an existing service.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the proposed service.
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.
4. As the uncontested evidence in this case essentially shows the expansion of an existing service, the order should be effective on the date of signing.

Conclusion of Law

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

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 Coronado Livery authorizing it 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-0914, 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.

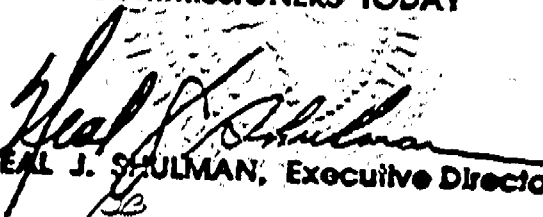
5. Applicant shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

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

Dated November 6, 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. SHULMAN, Executive Director

T/MEE/ebi \*

\*Appendix PSC-0914

Coronado Livery, Inc.

First Revised Title Page  
Cancels  
Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-0914

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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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\*Revised under authority of Decision 91-11-007, dated  
November 6, 1991, of the Public Utilities Commission of the  
State of California in Application 91-03-031.

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Appendix PSC-0914

Coronado Livery, Inc.

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\*Revised by California Public Utilities Commission.

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

Coronado Livery, 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 an on-call, door-to-door basis, between points in San Diego County, described in Section 2, on the one hand, and the San Diego International (SAN), San Diego Santa Fe Train Depot (Amtrak Station) and San Diego Greyhound Bus Terminal (Greyhound Station), on the other hand, over and along the routes described in Section 2, 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 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 except those having a point of origin or destination at SAN, Amtrak Station or Greyhound Station.
- (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.

\*Revised by California Public Utilities Commission.

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Appendix PSC-0914

Coronado Livery, Inc.

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SECTION 2. SERVICE AREA DESCRIPTIONS.

San Diego County

All points within the geographical limits of San Diego County.

SECTION 3. ROUTE DESCRIPTIONS

On-call, door-to-door, service

Commencing at SAN, Amtrak Station or Greyhound Station, then via the most convenient streets and highways to any point within the service area described in Section 2.

Issued by California Public Utilities Commission.

Decision 91-11-007, Application 91-03-031.