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Decision 91-11-043 November 20, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 TRANS-AMERICAN INTERMODAL, INC., an)
 Arizona corporation, doing business)
 as TRANS-AMERICAN EXPRESS, for a)
 certificate of public convenience)
 and necessity to operate as a)
 passenger stage between certain)
 points in the Los Angeles, San)
 Bernardino, Riverside and Orange)
 counties, on the one hand, and Los)
 Angeles International Airport,)
 Burbank Airport, Long Beach Airport,)
 John Wayne Airport, Ontario Airport,)
 Palm Springs Airport, and Los)
 Angeles/Long Beach Harbors, on the)
 other hand.)

ORIGINAL

Application 91-05-048
(Filed May 24, 1991)

OPINION

Trans-American Intermodal, Inc., an Arizona corporation, doing business as Trans-American Express, requests authority under Public Utilities Code § 1031, et seq. to operate as a passenger stage corporation for the transportation of persons and baggage between points in Los Angeles, San Bernardino, Riverside and Orange counties, on the one hand, and Los Angeles International Airport, Burbank Airport, Long Beach Airport, John Wayne Airport, Ontario Airport and Los Angeles/Long Beach Harbors, on the other hand. (Applicant has withdrawn its request for service to Palm Springs Airport.)

Applicant is an Arizona corporation doing business as Trans-American Express. A copy of a certificate of qualification as a foreign corporation obtained from the California Secretary of State and a copy of applicant's articles of incorporation are attached to the application.

Applicant has heretofore been issued a charter-party and permit in File No. TCP 4554-P dated July 2, 1989, and a highway contract carrier permit in File No. T-169,784 issued February 21, 1991. Applicant states that, as a charter-party carrier of passengers, it provides services to employees of various railroads between their job sites and their homes or other destinations. It is alleged that these same individuals have requested that applicant provide service from and to various airports on an "on-call" basis.

A balance sheet attached to the application shows total assets of \$558,265 and net worth of \$264,065 as of April 4, 1991.

This application was protested by the Los Angeles Department of Airports, but the protest was withdrawn on August 6, 1991. Transportation Division recommends ex parte approval of the application.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. A filed protest to the application has been withdrawn.
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 the only protest to the application has been withdrawn, 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 Trans-American Intermodal, Inc. 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-4554, 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 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 20, 1991, at San Francisco, California.

PATRICIA M. ECKERT

President

DANIEL Wm. FESSLER

NORMAN D. SHUMWAY

Commissioners

Commissioner John B. Ohanian, 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
PSC-7253
TO OPERATE AS
PASSENGER STAGE CORPORATION

Showing passenger stage operative rights, restrictions, limitations,
exceptions, and privileges applicable thereto.

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 91-11-043, dated
November 20, 1991, of the Public Utilities Commission of the
State of California in Application 91-05-048.

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Issued by California Public Utilities Commission.

Decision 91-11-043, Application 91-05-048.

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

Trans-American Intermodal, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to provide on-call, door-to-door, passenger stage services to transport passengers and their baggage between points in Los Angeles, San Bernardino, Riverside and Orange counties, described in Section 2, on the one hand, and Los Angeles International Airport (LAX), Burbank Airport (BUR), Long Beach Airport (LGB), John Wayne Airport (SNA), Ontario Airport (ONT) or Los Angeles/Long Beach 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 except those having a point of origin or destination at LAX, BUR, LGB, SNA, ONT or Los Angeles and Long Beach 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 boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.

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SECTION 2. SERVICE AREA DESCRIPTIONS

Los Angeles County

All points within the geographical limits of the cities of Claremont, Diamond Bar, Pomona and La Verne.

San Bernardino County

All points within the geographical limits of the cities or communities of Chino, Ontario, Montclair, Guasti, Upland, Rancho Cucamonga, Alta Loma, Etiwanda, Fontana, Rialto, Bloomington, Colton, Loma Linda, Bryn Mawr, Redlands, Yucaipa, Patton, Highland, Mentone, San Bernardino, Hesperia and Victorville.

Riverside County

All points within the geographical limits of the cities or communities of Corona, Mira Loma, Norco, Riverside, Perris, Moreno Valley, Lake Elsinore, Romoland, Sun City, Nuevo, San Jacinto, Lakeview, Calimesa, Beaumont, Banning, Hemet, Homeland Palm Springs and Cathedral City.

Orange County

All points within the geographical limits of the cities or communities of Brea and Yorba Linda.

SECTION 3. ROUTE DESCRIPTIONS

On-Call, Door-to-Door Service

Commencing at LAX, BUR, LGB, SNA, ONT or Los Angeles/Long Beach Harbors, then via the most convenient streets and highways to any point within the service areas described in Section 2.

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