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Decision 92-02-045 February 20, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Bobby Prater dba: Gold Dust Airport
 Shuttle to amend its Certificate of
 Public Convenience and Necessity as
 a Passenger Stage to add On-Call
 Passenger Stage Service to San
 Francisco International Airport City
 of San Francisco, Ca. from
 Sacramento, Ca. and return.

ORIGINAL

Application 91-09-067
 (Filed September 27, 1991)

OPINION

By this application Bobby Prater, doing business as Gold Dust Airport Shuttle, requests authority to add on-call passenger stage service to San Francisco International Airport (SFO) from Sacramento and Davis, and return.

By Decision (D.) 91-03-023 dated March 13, 1991 in Application (A.) 90-10-061, Prater was issued a certificate of public convenience and necessity to operate as a passenger stage corporation (PSC) between Sacramento Metropolitan Airport, El Dorado, Placer, Sacramento, and Yolo Service Areas.

Prater alleges that the new service is needed because Sacramento is one of the fastest growing cities in California, and that the environment will benefit from the new service because it will offer a convenient and economical substitute for many private automobile users. The applicant also alleges that since commencement of his service, he has received numerous requests daily for the proposed service from prospective riders and travel agencies.

Prater will serve from two pickup/departure areas within Sacramento and one in Davis. The first point in Sacramento will be located in the parking lot at Denny's Restaurant, 4336 Watt Avenue; the second in the parking lot at Denny's Restaurant, 925 3rd

Street. The pickup/departure point in Davis will be the parking lot of the Ramada Inn located at 110 F Street.

Departing vans will arrive at the first pickup point 15 minutes prior to departure time, at which required reservations have been made for that location. Vans will depart thence and arrive at the second Sacramento pickup within 15 minutes, at which point the vans will remain for about five minutes before departing to the third pickup point in Davis. Vans will arrive at Davis within 30 minutes, and depart after five minutes.

Return trips from SFO will provide on call (reservation) service to the same origin points. Fares will be \$30 per person in each direction. Service will be provided in six Ford late model vans, five having a 15-passenger capacity, and one with a seven-passenger capacity.

An income statement dated May 31, 1991 shows net sales of \$32,726 and a net operating income of \$7,674. A projected income statement for 12 months indicates revenues of \$270,000 and a net profit of \$88,200.

Notice of filing of the application appeared in the Commission's Daily Transportation Calendar on October 21, 1991. No objection to the application has been received.

The Commission's Transportation Division recommends that, in the absence of protest, the application be granted by ex parte order. The Division notes that the application is not affected by Resolution TEA-1, which ordered a moratorium on the granting of applications for PSC operating authorities filed after November 6, 1991 seeking authority to operate at Los Angeles International Airport or SFO. This application was filed September 27, 1991.

In the circumstances, the application should be granted.

Findings of Fact

1. Prater presently holds operating authority to operate as a PSC between points in Sacramento, El Dorado, Placer, and Yolo Counties.

2. Prater requests authority to extend his service from two points in Sacramento, and one in Davis, on the one hand, and SFO, on the other hand.

3. Prater possesses the experience and capital to perform the proposed service.

4. No objection to the application has been received.

Conclusions of Law

1. The application should be granted.

2. A public hearing is not necessary.

3. Since there is an immediate opportunity to better serve the public in the Sacramento area, the effective date of this decision should be today.

ORDER

IT IS ORDERED that:

1. The certificate of public convenience and necessity is granted to Bobby Prater (applicant), authorizing him to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, to transport persons and baggage, between the points and over the routes set forth in Appendix PSC-7038 of Decision 91-03-023, is amended by replacing Original Pages 1, 2, 3, 4, and 5 with First Revised Pages 1, 2, 3, and 4.

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. Comply with PU Code Sections 460.7 and 1043, relating to the Workers' Compensation laws of this state.

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

Dated February 20, 1992, at San Francisco, California.

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

Commissioner Patricia M. Eckert,
being necessarily absent, did
not participate.

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


NEAL J. SHULMAN, Executive Director
PB

T/MM

Appendix PSC-7038

Bobby Prater

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Issued by California Public Utilities Commission.

*Amended by Decision 92-02-045, Application 91-09-067.

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

Bobby Prater, an individual, by the amended certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to transport passengers and their baggage, on an "on-call" basis, between the points described in Section II, and *San Francisco International (SFO) and Sacramento Metropolitan (SMA) Airports, over and along the route described in Section III, subject, however, to the authority of this Commission to change or modify this authority 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 either SFO or 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 DESCRIPTION.

Service Area 1: El Dorado Service Area**

Commencing at the intersection of Interstate Highway 80 (80) and State Highway 49 (49); south on 49 to El Dorado-Amador County Line; west along the County line to the El Dorado-Sacramento County Line; north along the County line to the El Dorado-Placer County Line; north on the County line and to the intersection of 80 and 49.

Service Area 2: Placer Service Area**

Commencing at the intersection of Highway 65 (65) and Placer-Yuba County Line; east on the County line, to Placer-Nevada County Line and State Highway 49 (49); south on 49 to Interstate Highway 80 (80); southwest on 80 to Folsom Road, Auburn Road, to Placer-Sacramento County line; west on the County line to Placer-Sutter County line; north on the County Line and to 65 and Placer-County Line.

Service Area 3: Sacramento Service Area***
Sacramento County.

Service Area 4: Yolo Service Area***

Commencing at the intersection of Interstate Highway 5 (5) and Yolo-Colusa County Line; east on the County line, to Sacramento River; south along the river to Business Highway 80, to Interstate Highway 80 (80); southwest on 80, to Interstate Highway 505 (505); north on 505 to 5 and to 5 and Yolo-Colusa County Line.

*Service Area 5: Sacramento/Davis - SFO

Denny's Restaurant parking lot at 4336 Watt Avenue,
Sacramento
Denny's Restaurant parking lot at 925 3rd Street,
Sacramento
Ramada Inn, 110 "F" Street, Davis

** Formerly on Original Page 4.

*** Formerly on Original Page 5. Original Page 5 deleted.

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T/MM

Appendix PSC-7038

Bobby Prater

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SECTION III. ROUTE DESCRIPTION.

Route 1 - SACRAMENTO METROPOLITAN AIRPORT**

Commencing from any point and then to other points in the service area as described in Section II, except service area 5, utilizing the most appropriate streets or highways to SMA.

*Route 2 - SAN FRANCISCO INTERNATIONAL AIRPORT

Commencing from Denny's Restaurant parking lot at 4336 Watt Avenue, Sacramento; then to Denny's Restaurant parking lot at 925 3rd Street, Sacramento; Ramada Inn, 110 "F" Street, Davis, utilizing the most appropriate streets or highways to SFO.

**Formerly on Original Page 3.

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