

APR 8 1992
ORIGINAL

Decision 92-04-007 April 8, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Torrey Pines Transportation Service)
to operate as an "on call" passenger)
stage corporation between Downtown)
San Diego on one hand and San Diego)
area communities on the other)
hand.)
_____)

Application 91-10-005
(Filed October 9, 1991)

O P I N I O N

William E. Bonner (applicant), an individual doing business as Torrey Pines Transportation Service, seeks authority under § 1031, et seq., of the California Public Utilities Code to operate an on-call passenger stage corporation, with scheduled service between the San Diego International Airport (Lindberg Field), the downtown Santa Fe Train Depot, and the downtown Greyhound Bus Terminal, on one hand, and San Diego area communities, on the other hand. Applicant proposes to perform on-call service 24-hours per day, 7-days per week. The vehicles to be used are six 7-passenger vans.

The application was served in accordance with Rule 21(k) of the Commission's Rules of Practice and Procedure. Notice of the filing of the application was published in the Commission's Daily Transportation Calendar on October 15, 1991. No protests to the granting of the application have been received.

Applicant is a sole proprietor, and has filed a copy of his fictitious business name statement with the application. Also attached to the application are a map showing the proposed service area; proposed fares, rules, and regulations; and a balance sheet as of August 31, 1991. The balance sheet shows assets of \$96,941, liabilities of \$22,360, and with net worth (capital) of \$74,581.

Applicant demonstrates industry knowledge by operating as a charter-party carrier (TCP 5990-P) since September 27, 1989.

Granting the requested authority should have no significant adverse effect upon the environment since the service will contribute to improved air quality in general (through a reduction of single occupant motorists on the road), and more importantly, at the San Diego International Airport (Lindberg Field), the downtown Santa Fe Train Depot, and the downtown Greyhound Bus Terminal. The service should result in fewer cars driven to, and parked at, these locations. The service should also contribute somewhat to reduced levels of congestion at the airport and the other transportation terminals thereby facilitating the movement of other vehicles at these locations.

Transportation Division has reviewed the application and has no objection to the granting of the requested authority.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. No protests were filed.
3. A public hearing is not necessary.
4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
5. Public convenience and necessity require the issuance of a certificate to perform the proposed service.

Conclusions of Law

1. The application should be granted.
2. As there is a public need for the service, this order should be effective immediately.

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 William E. Bonner (applicant), doing business as Torrey Pines Transportation Service, authorizing him to operate an on-call passenger stage corporation, as defined in Public Utilities (PU) Code § 226, between the points and over the routes set forth in Appendix PSC-5990, 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 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 Order 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.

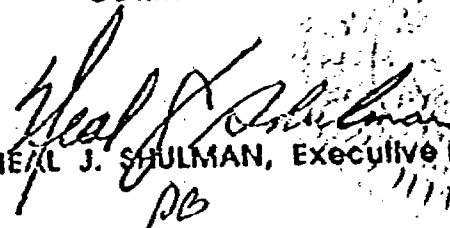
7. This proceeding is closed.

This order is effective today.

Dated April 8, 1992, at San Francisco, California.

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

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


NEIL J. SHULMAN, Executive Director
PB

T/MEE/ebi

Appendix PSC-5990

William E. Bonner

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-5990

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 92-04-007, dated
April 8, 1992 of the Public Utilities Commission of the
State of California in Application 91-10-005.

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Issued by California Public Utilities Commission.

Decision 92-04-007, Application 91-10-005.

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

William E. Bonner, 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), downtown Santa Fe Train Depot (Amtrak Station) and Greyhound Bus Terminal (Greyhound Station), 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 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.

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SECTION 2. SERVICE AREA DESCRIPTIONS.

San Diego County

All points within the geographical limits of the cities or zip code communities of Carlsbad, Coronado, Del Mar, Encinitas, Oceanside, Poway, Rancho Santa Fe/Fairbanks Ranch, Solana Beach, and San Diego (south of Lake Hodges and Highland Valley Road).

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.

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