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Decision 92-07-014 July 1, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of EARNEST ALVIN BORCHERS)	
doing business as "MENDOCINO STAGE")	
for certificate of public convenience)	
as a PASSENGER STAGE CORPORATION on)	Application 92-01-061
one hand between MENDOCINO, CALIFOR-)	(Filed January 31, 1992)
NIA and UKIAH, CALIFORNIA and on the)	
other hand between FORT BRAGG,)	
CALIFORNIA and UKIAH, CALIFORNIA.)	

O P I N I O N

Earnest Alvin Borchers, doing business as Mendocino Stage, seeks a certificate of public convenience and necessity as a passenger stage corporation between Mendocino on the one hand, and Ukiah on the other hand, with service to the intermediate points of Fort Bragg and Willits; and between Fort Bragg on the one hand, and Ukiah on the other hand, with service to the intermediate points of Mendocino, Little River, Albion and Boonville.

Exhibit B, attached to the application, contains applicant's proposed timetable. It discloses that applicant plans two round trips daily between Mendocino and Ukiah and one round trip daily between Fort Bragg and Ukiah.

Exhibit A, attached to the application, sets forth the fares applicant proposes to assess. Applicant proposes to utilize two 15 passenger and two eight passenger vans to provide the service.

Applicant holds a certificate of public convenience and necessity authorizing operations as a passenger stage corporation between Fort Bragg and Heritage House, and between Fort Bragg and Westport and points intermediate thereto.

Exhibit E, attached to the application, contains copies of applicant's balance sheet as of December 1, 1991 and income statement for the nine months ended September 30, 1991. The

balance sheet discloses assets of \$51,943.48, liabilities of \$10,539.02 and a net worth of \$41,404.46. The income statement shows income of \$79,203.61, expenses of \$58,829.16, a net profit, before taxes of \$20,374.45.

Exhibit F, attached to the application, contains letters supporting the application from the City Administrator of Fort Bragg and the Jury Commissioner of the Superior Court in Mendocino County. The exhibit also contains numerous signatures of residents of the communities to be served supporting the application.

In the event the applicant accepts the certificate granted by the ensuing order, the certificate presently held by applicant will be incorporated into the certificate granted herein and the certificate presently held will be revoked concurrently with the effective date of the tariff filings and timetables required by ordering paragraph 2 b.

Findings of Fact

1. Applicant seeks authority to perform operations as a passenger stage corporation between Mendocino on the one hand, and Ukiah on the other hand, with service to the intermediate points of Fort Bragg and Willits; and between Fort Bragg on the one hand, and Ukiah on the other hand, with service to the intermediate points of Mendocino, Little River, Albion and Boonville.

2. Applicant has the equipment and financial resources to provide the proposed service.

3. Public convenience and necessity require the issuance of a certificate to perform the proposed service.

4. No protests have been received.

5. A public hearing is not necessary.

6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

7. Because the ensuing decision will benefit the traveling public by providing a needed service, it should be made effective today.

Conclusion of Law

The application 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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Earnest Alvin Borchers, a corporation, authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-7021, to transport persons, baggage, and/or express.

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. 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 Public Utilities Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

6. The certificate of public convenience and necessity granted by Decision 91-05-011 is revoked on the effective date of the tariffs and timetables.

7. The application is granted as set forth above.
This order becomes effective 30 days from today.
Dated July 1, 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


NEAL J. SHULMAN, Executive Director

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Appendix PSC-7021 Earnest Alvin Borchers Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-7021

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.

Supersedes authority heretofore granted to
Earnest Alvin Borchers an individual
by D.91-05-011

Issued under authority of Decision 92-07-014,
dated July 1, 1992, of the Public Utilities Commission
of the State of California in Application 92-01-061.

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Issued by California Public Utilities Commission.

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

This certificate supersedes all passenger stage operative authority granted to Earnest Alvin Borchers.

Earnest Alvin Borchers, an individual, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage and express shipments weighing less than fifty (50) pounds between Fort Bragg and Heritage House including Mendocino County Airport and points intermediate thereto, between Fort Bragg and Westport and points intermediate, between Fort Bragg and Ukiah via Boonville and between Mendocino and Ukiah via Willits over and along the route hereinafter described, subject to the authority of this Commission to change or modify 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. Service will be operated Monday thru Friday.

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SECTION II. ROUTE DESCRIPTIONS.

Route 1 - Fort Bragg/Heritage House - Little River

Commencing from Fort Bragg then on and along State Highway 1, to Harbor Light Motel in Noyo, Caspar, Mendocino Hotel, Mendocino, Little River Inn, Little River, Airport Road to "The Woods", Mendocino County Airport, Airport Road, State Highway 1 and to Heritage House.

Route 2 - Fort Bragg/Westport

Commencing from Fort Bragg, then on and along State Highway 1 to Westport and points intermediate thereto.

Route 3 - Commencing from Fort Bragg, then on and along State Highway 1 to Mendocino, south on SH 128 to Boonville north on SH to Ukiah.

Route 4 - Commencing in Mendocino, north on State Highway 1 to Fort Bragg, then east on SH 20 to Willits, then south on SH 101 to Ukiah.

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