

Mailed

OCT 6 1992

ORIGINAL

Decision 92-10-013 October 6, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of S.F. DREAM TOURS, Inc. for)
Authority to Operate as a Passenger)
Stage Corporation Between Points)
in San Francisco County, the)
San Francisco International Airport,)
and the San Jose International)
Airport.)

Application 90-12-067
(Filed December 28, 1990;
amended March 14, 1991,
April 19, 1991, May 18, 1992
and June 30, 1992)

O P I N I O N

S.F. Dream Tours, Inc. (applicant), a California corporation with headquarters in San Francisco, seeks authority under Public Utilities (PU) Code § 1031 et seq. to operate on-call transportation and incidental tour service between the San Francisco (SFO) and San Jose International Airports and downtown San Francisco hotels.

Notice of filing of the application appeared in the Daily Transportation Calendar on January 4, 1991. Applicant filed the first amendment to the application on March 14, 1991 to correct deficiencies in the application noted by the Transportation Division. Notice of filing of the first amendment appeared in the Daily Transportation Calendar on March 20, 1991. Applicant filed the second amendment to the application on April 19, 1991 to correct further deficiencies in the application. Notice of filing of the second amendment appeared in the Daily Transportation Calendar on April 24, 1991. Applicant filed the third amendment to the application on May 18, 1992 to correct inconsistencies in the financial statement noted by Administrative Law Judge Ruling dated March 9, 1992. Notice of filing of the third amendment appeared in the Daily Transportation Calendar on June 18, 1992. Finally, applicant filed the fourth amendment to the application on

June 30, 1992 to correct continuing inconsistencies in the financial statement noted by Administrative Law Judge Ruling dated June 10, 1992. Notice of filing of the fourth amendment appeared in the Daily Transportation Calendar on July 3, 1992.

The application and amendments were forwarded by applicant to each public transit operator within whose boundaries passengers will load or unload, and to the County Clerk of San Francisco and San Mateo Counties. The application was protested by SFO Airporter, Inc., who withdrew the protest after review of the first amendment. No other protests or request for hearing have been received. The Transportation Division recommends that the application be granted by ex parte order.

Applicant proposes to operate two owned and two leased vans of 14 passenger capacity. The vehicles will be garaged at applicant's facilities at 1169 Market Street, #809, San Francisco, California.

Applicant will perform daily on-call service on five routes, using Japanese-speaking drivers. Route 1 service is from SFO to downtown San Francisco hotels. Route 2 service is a narrated tour from SFO via route 280 to Twin Peaks, Golden Gate Park, Golden Gate Bridge and Fisherman's Wharf, ending at downtown San Francisco hotels. Route 3 service is a narrated tour from SFO via route 101 to Fisherman's Wharf, Golden Gate Bridge, Golden Gate Park, and Twin Peaks, ending at downtown San Francisco hotels. Route 4 service is from San José International Airport via route 101 to SFO. Route 5 service is from San José International Airport to downtown San Francisco hotels. The one-way fares for all passengers are \$25 for route 1, \$55 for routes 2 and 3, \$15 for route 4, and \$20 for route 5.

Applicant alleges that the proposed service is unique since there is no comparable transportation or tour service available which addresses the needs of Japanese visitors at the

proposed fares and with on-call availability and convenience proposed by applicant.

The unaudited balance sheet attached in Exhibit F to the application indicates a net worth of approximately \$105,558 on January 31, 1992. Applicant estimates an annual net income of \$51,020 for the proposed service, based on a combined annual ridership of 6,500 passengers on the five routes.

Applicant has the experience and financial ability to operate the proposed service. Applicant's estimates of revenues and expenses show a reasonable opportunity to earn a profit and compete effectively in the chosen transportation market.

As noted in the application, the availability of the proposed service should benefit the environment and the public through the resultant reduction of private vehicles on the road.

Findings of Fact

1. Applicant currently provides tour and transportation service with a charter-party carrier permit TCP-4890-B.S.
2. Applicant requests authority to operate daily on-call transportation and tour service from SFO and San Jose International Airport to downtown San Francisco hotels.
3. Applicant has the experience and financial resources to perform the proposed services.
4. It can be seen with certainty that there is no possibility that the proposed service will have a significant adverse impact on the environment.
5. There are no protests or requests for hearing.
6. No protest to the application has been received from any public transit operator serving the territory applicant proposes to serve.
7. A public hearing is not necessary.

Conclusions of Law

1. Public convenience and necessity have been shown, and applicant should be granted a certificate.

2. The order should be effective on the date signed because public convenience and necessity requires prompt commencement of the proposed service.

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 cancel or modify the monopoly features of these rights at any time.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to S.F. Dream Tours, Inc., a corporation, 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-4890, to transport passengers and their 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 the timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with the 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 the Executive Director mails a notice to applicant that it has evidence of insurance on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

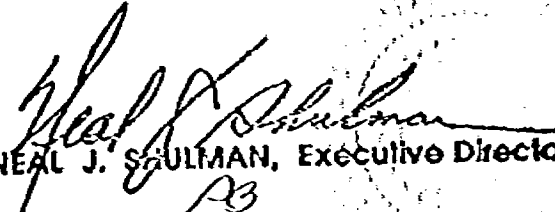
5. Applicant shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

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

Dated October 6, 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. SCHULMAN, Executive Director
AB

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
PSC-4890
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 92-10-013, dated
October 6, 1992 of the Public Utilities Commission of the
State of California in Application 90-12-067.

I N D E X

	<u>Page</u>
SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS	2
SECTION II. SERVICE AREA DESCRIPTIONS.....	3
SECTION III. ROUTE DESCRIPTIONS	4

Issued by California Public Utilities Commission.

Decision 92-10-013, Application 90-12-067.

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

S. F. Dream Tours, 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 basis between certain points in the City and County of San Francisco described in Section II, on the one hand, and San Francisco International Airport (SFO), and San Jose International Airport (SJC), described in Section II on the other hand, over and along the routes described in Section III, 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 SFO, SJC, or points in San Francisco county.
- (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.

Issued by California Public Utilities Commission.

Decision 92-10-013, Application 90-12-067.

SECTION II. SERVICE AREA DESCRIPTIONS

San Francisco County

Includes all points within the geographical limits of San Francisco County.

San Francisco International AirportSan José International AirportSECTION III. ROUTE DESCRIPTION.
ON - CALL SERVICERoute #1. San Francisco Airport - Downtown Hotel

Beginning at the San Francisco International Airport flight arrival area and travelling from there over the most appropriate and convenient streets (U.S. 101 - North) to the downtown San Francisco area to various downtown hotel entrance plazas with check-in assistance.

Route #2. City of San Francisco Via 280

Beginning at the San Francisco International Airport flight arrival area and travelling from there over the most appropriate and convenient streets (U.S. 280) to Twin Peaks, Golden Gate Park, Golden Gate Bridge, Fisherman's Wharf and downtown San Francisco hotel entrance plazas with check-in assistance, including narration of all points of interests along the route.

Issued by California Public Utilities Commission.

Decision 92-10-013, Application 90-12-067

SECTION III. ROUTE DESCRIPTION. (Continued)
ON - CALL SERVICE

Route #3. City of San Francisco Via 101

Beginning at the SFO flight arrival area and travelling from there over the most appropriate and convenient streets (U.S. 101 - North) to Fisherman's Wharf, Golden Gate Park, Twin Peaks and downtown San Francisco hotel entrance plazas with check-in assistance, including continuing narration of all points of interest along the route.

Route #4. Airport to Airport Service

Beginning at San Jose International Airport flight arrival area and travelling from there over the most appropriate and convenient streets (U.S. 101-North) to the San Francisco International Airport with flight and other information provided.

Route #5. San Jose Airport - Downtown Hotel

Beginning at the San Jose International Airport flight arrival area and travelling from there over the most convenient streets (U.S. 101-North) to the downtown San Francisco area to various downtown hotel entrance plazas with check-in assistance.