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ORIGINAL

Decision 92-10-043 October 21, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Chaminade Conference Center at Santa Cruz for authority to operate as a passenger stage corporation between One Chaminade Lane in Santa Cruz and San José International Airport, Monterey Airport, and Watsonville Airport.

Application 92-06-038
(Filed June 23, 1992;
amended July 27, 1992)

OPINION

Chaminade Ltd., a limited partnership, doing business as Chaminade Conference Center at Santa Cruz (applicant), requests authority under Public Utilities Code § 1031 et seq. for a certificate of public convenience and necessity to establish and operate a passenger stage corporation between One Chaminade Lane in Santa Cruz, on the one hand, and the San Jose, Monterey, and Watsonville airports, on the other hand.

Applicant provided notice of its application to government entities and regional transportation planning agencies as required by Commission Rules of Practice and Procedure, Rule 21(k). Notice of the application appeared on the Commission's Daily Calendar on July 2, 1992. No protests have been received. Therefore, a public hearing is not required.

Applicant proposes to perform "on-call," door-to-door service seven days per week, 24 hours per day. Passengers are required to give two hours' advance notice that service is desired. Applicant attaches as Exhibit C a map of its proposed service areas.

Applicant will operate three 12-passenger vans in its proposed service. Applicant will add more vans as public need requires.

Applicant will acquire liability insurance in amounts that meet the minimum requirements under General Order 101-E. Applicant will house and maintain these vans at its service facility at One Chaminade Lane, Santa Cruz. Applicant will obtain outside maintenance contractors as required.

Applicant proposes to charge rates which are comparable with those of similar services.

Applicant is a conference center resort. Applicant has provided courtesy transportation service to its clients for two years. The transportation department is allocated funds from the entire resort budget. Applicant's financial statement for the period January to March, 1992 shows income in its transportation department of \$4,651. This department, as well as the entire conference center, has operated at a profit for two years.

Applicant declares that this service will benefit the environment by reducing highway and congestion problems. Therefore, the granting of the authority for the operations sought will have no significant adverse effect upon the environment of the areas to be served.

Applicant asserts that public convenience and necessity will be served by the granting of this application because the proposed service will decrease highway congestion to and from three airports. Applicant's drivers speak numerous foreign languages providing an additional convenience to the public to be transported.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the proposed service.
3. The rates proposed in the application are reasonable.

4. No protest to the application has been received from any public transit operator serving applicant's proposed territory or any other person or corporation.

5. The proposed service will have no significant effect on the environment.

Conclusion of Law

1. Public convenience and necessity require that the requested certificate 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.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Chaminade, Ltd., a limited partnership, doing business as Chaminade Conference Center at Santa Cruz (applicant), 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-8011, 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 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 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. The application is granted as set forth above.
This order becomes effective 30 days from today.

Dated October 21, 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


- 4 - NEAL J. SHULMAN, Executive Director
PB

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-8011

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 92-10-043,
dated October 21, 1992, of the Public Utilities Commission of
the State of California in Application 92-06-038.

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Issued by California Public Utilities Commission.

Decision 92-10-043, Application 92-06-038.

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

Chaminade Ltd., a limited partnership, 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 One Chaminade Lane, Santa Cruz (SC), on the one hand, and San Jose International, Monterey, and Watsonville Airports, on the other hand, over and along the route 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. 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 SC.
- 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 III. ROUTE DESCRIPTION.

ON -CALL SERVICE

Commencing from One Chaminade Lane, Santa Cruz, then over the most convenient streets and highways to either San Jose International, Monterey, or Watsonville Airports.

Issued by California Public Utilities Commission.

Decision 92-10-043, Application 92-06-038.