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Decision 92-11-038 November 23, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Osias F. Cadacio and Marivic B.
 Cadacio dba Fil-Am Transit for the
 authority to operate as a passenger
 stage between certain portions of
 Los Angeles, Ventura and Santa
 Barbara Counties on one hand, and
 Los Angeles Airport (LAX), Burbank
 Airport (BUR), John Wayne Airport,
 and Harbors of Los Angeles and
 Long Beach on the other hand.

ORIGINAL

Application 92-07-038
(Filed July 21, 1992)

O P I N I O N

Applicants Osias F. Cadacio and Marivic B. Cadacio, husband and wife, doing business as Fil-Am Transit (applicants), seek a certificate of public convenience and necessity to operate passenger stage service between points in Los Angeles, Ventura, and Santa Barbara counties and Los Angeles International Airport (LAX), Burbank Airport (BUR), John Wayne Airport, and the harbors in the cities of Los Angeles and Long Beach. Authority is sought under Public Utilities Code § 1031.

The application was filed on July 21, 1992. Notice of the filing appeared in the Commission's Daily Calendar on July 27, 1992. No protests to the application have been received.

Applicants propose door-to-door on-call service 24 hours a day, seven days a week, carrying persons to and from LAX, BUR, John Wayne Airport and the harbors of Los Angeles and Long Beach. Fares would range between \$4 and \$119, depending on origin or destination.

Applicants state that the service will be operated with 20 seven-passenger minivans, which will be garaged at facilities leased by applicants. Applicants represent that the vehicles will

be covered by liability insurance in amounts required under General Order 101-E.

Applicants have filed a balance sheet and other exhibits to show that they have the ability, equipment, and financial resources to perform the proposed service. Applicants state that the service will have no significant adverse effect on the environment and, in fact, will contribute to the quality of the environment by reducing the number of private vehicles on the road. Applicants state that public convenience and necessity will be served because the public will be provided with a dependable alternative to taxicab and luxury limousine service. Applicants state that, despite the depressed economy, travel from the Los Angeles area airports increased 10 percent in 1991, thus evidencing a need for additional passenger stage service.

Findings of Fact

1. Applicants have the ability, equipment, and financial resources to perform the proposed service.
2. No protest to the application has been received from any public transit operator serving the territory applicants propose to serve. A public hearing is not necessary.
3. It can be seen with certainty that the proposed service will have no significant adverse effect on the environment.
4. Applicants have demonstrated that a public need will be served by the transportation proposed in the application. Accordingly, this order should be effective immediately.

Conclusion of Law

Public convenience and necessity have been demonstrated in this application, and a certificate 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 Osias F. Cadacio and Marivic B. Cadacio, seeking to do business as a partnership under the name of Fil-Am Transit (applicants), authorizing applicants 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-8082, to transport persons and baggage.

2. Applicants 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 with 120 days after this order is effective.
- c. State in the 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, applicants shall notify the airport's governing body. Applicants shall not operate into or on airport property unless such operations are also authorized by the airport's governing body.

4. Applicants are authorized to begin operations on the date that the Executive Director mails a notice to applicants that their evidence of insurance is on file with Commission and that the California Highway Patrol has approved the use of applicants' vehicles for service.

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

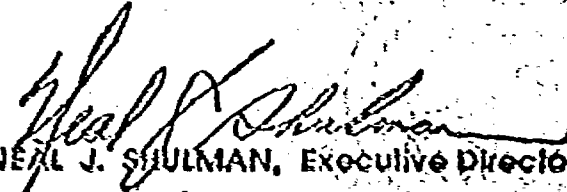
6. The application is granted as set forth above.

This order is effective today.

Dated November 23, 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

T/MEE/ebi

Appendix PSC-8082

Osias F. Cadacio
and
Marivio B. Cadacio

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-8082

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 92-11-038, dated
November 23, 1992, of the Public Utilities Commission of the
State of California in Application 92-07-038.

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Issued by California Public Utilities Commission.

Decision 92-11-038, Application 92-07-038.

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

Osias F. Cadacio and Marivio B. Cadacio, 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 Los Angeles International Airport (LAX), Burbank Airport (BUR), John Wayne Airport (SNA), and the Harbors of Los Angeles and Long Beach (Harbors), on the one hand, and certain points in Los Angeles, Ventura and Santa Barbara counties, described in Section 2, 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 route at any time and subject to the following provisions:

- (a) 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.
- (b) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (c) Only passengers originating from or destined to LAX, BUR, SNA or Harbors shall be transported.
- (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 the authorized on-call services 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

Los Angeles County

All cities and zip code communities within the geographical limits of Los Angeles County.

Ventura County

All points within the geographical limits of the following cities and zip code communities:

Barsdale, Bell Canyon, Camarillo, Casitas spring, Fillmore, Foster Park, Hollywood Beach, La Conchita, Lake Sherwood, Live Oak Acres, Meiners Oaks, Mira Monte, Montalvo, Moorpark, Newbury Park, Nyeland Acres, Oak Brook Village, Oakview, Ojai, Oxnard, Pierpont Bay, Piru, Point Mugu, Port Hueneme, Santa Paula, Saticoy, Seacliff, Silver Strand, Simi Valley, Somis, Thousand Oaks and Ventura.

Santa Barbara County

All points within the geographical limits of the following cities and zip code communities:

Ballard, Betteravia, Buellton, Carpenteria, Ellwood, Gaviota, Goleta, Guadalupe, Isla Vista, Las Cruces, Lompoc, Montecito, Santa Barbara, Santa Maria and Solvang.

SECTION 3. ROUTE DESCRIPTIONS

Route 1. On-call, door-to-door service

Commencing at LAX, BUR, SNA or Los Angeles and Long Beach Harbors, then via the most convenient streets and highways to the points in Los Angeles County described in Section 2.

Route 2. On-call, door-to-door service

Commencing at LAX, BUR, SNA or Los Angeles and Long Beach Harbors, then via the most convenient streets and highways to the points in Ventura and Santa Barbara counties described in Section 2.

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