

ORIGINAL

Decision 82 04 056 APR - 6 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of GARY DE FOREST MAC INTYRE for)
a certificate of public conven-)
ience and necessity to operate)
as a passenger stage company.)

Application 60959
(Filed September 30, 1981;
amended December 21, 1981)

O P I N I O N

Applicant Gary DeForest MacIntyre, doing business as MacIntyre Entertainment Company, seeks a certificate of public convenience and necessity to operate as a passenger stage company.

Applicant proposes to provide door-to-door passenger stage service between the City of Simi Valley (Simi Valley) in Ventura County and Los Angeles International Airport (LAX) and/or the Burbank Airport (BUR). Applicant's proposed fares, rules, and regulations are contained in Exhibit B-1 attached to the amendment to the application. The individual fares (which include transportation of baggage) are \$15 for one-way transportation between Simi Valley and LAX and \$10 for one-way transportation between Simi Valley and BUR. Applicant proposes a reduced 50% fare for children between the ages of 3 and 11 years old.

Applicant owns and proposes to operate a 14-passenger 1981 Dodge van every day of the year on an on-call basis. He proposes to lease and operate other 14-passenger Dodge vans as backup equipment.

Notice of the filing of this application appeared on the Commission's Daily Calendar on October 5, 1981. Copies of the application were mailed to bus companies operating in the vicinity of the City of Simi, to governmental entities in Los Angeles and Ventura Counties, and to the managers of LAX and BUR. A protest was filed by the City of Los Angeles (Los Angeles) on October 29, 1981.

Los Angeles withdrew its protest after applicant filed an amendment to its application. The amendment (1) limits stops to airports: in Los Angeles to LAX and in Burbank to BUR; (2) requires that reservations be made 24 hours in advance; and (3) simplifies applicant's rate proposal.

Applicant contends that (1) the residences and places of business of Simi Valley businessmen are distant from the fixed locations where airport-oriented public transportation is available; (2) businessmen would save valuable time by having an available door-to-door airport service; (3) its operations would be flexible and dependable in meshing with the schedules of the airplanes used by businessmen; and (4) its operations would have no adverse impact on the environment because the use of private automobiles between Simi Valley and the airports will be curtailed through transportation of up to 14 people in one vehicle. Applicant asserts that these factors demonstrate public convenience and necessity for its proposed service.

Applicant proposes the following routes:

"Simi Valley - LAX: Leave the City of Simi Valley east on State Highway 118, south on DeSoto Avenue, east on Devonshire Street, south on Interstate 405, southwest on La Tijera Boulevard, south on Sepulveda Boulevard to LAX. Return by reverse of said route.

"Simi Valley - BUR: Leave the City of Simi Valley east on State Highway 118, south on DeSoto Avenue, east on Devonshire Street, north on Balboa Boulevard, east on State Highway 118, southwest on Interstate 5, south on Hollywood Way to BUR. Return by reverse of said route."

As of July 7, 1981 Mr. and Mrs. MacIntyre had a net worth of approximately \$189,000. Applicant earned \$39,434 in 1980 and \$14,889 in the first six months of 1981.

Findings of Fact

1. Applicant requests a certificate of public convenience and necessity to operate a passenger stage corporation. Applicant possesses the financial resources and ability to operate the proposed service.

2. Applicant will provide a needed door-to-door passenger stage service between Simi Valley in Ventura County and LAX and/or BUR.

3. Applicant modified its proposed fares, rules, and regulations to resolve a conflict with Los Angeles.

4. Applicant has established public convenience and necessity.

5. The rates proposed in the amended application are reasonable.

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.

Conclusions of Law

1. Applicant has demonstrated public convenience and necessity for establishing the proposed service.

2. The effective date of this order should be the date of signature in order that applicant may begin operations of a needed service as soon as possible.

3. A public hearing is not necessary.

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 Gary DeForest MacIntyre authorizing him to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in Appendix A, to transport persons.

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 within 120 days after this order is effective.
- c. State in its tariffs when service will start; allow at least 10 days' notice to the Commission; and make its tariffs effective 10 or more days after this order is effective.

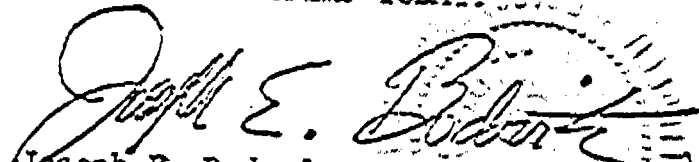
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

This order is effective today.

Dated APR 6 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. GREW
Commissioners

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


Joseph E. Bodovitz, Executive Director

T/am /ALJ/ks

Appendix A

Gary DeForest MacIntyre
doing business as
MacIntyre Entertainment Company

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-1215

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 82 04 056, dated
APR - 6 1982, of the Public Utilities Commission
of the State of California in Application 60959.

Appendix A

Gary DeForest MacIntyre
doing business as
MacIntyre Entertainment Company
(PSC-1215)

Original Page 1

I N D E X

	<u>Page</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.....	2
SECTION 2. ROUTE DESCRIPTIONS	
<u>Route</u> <u>Name</u>	
1 Simi Valley - Los Angeles Inter- national Airport (LAX)	3
2 Simi Valley - Burbank (BUR).....	3

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Decision 82 04 056, Applicattion 60959.

Appendix A

Gary DeForest MacIntyre
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(PSC-1215)

Original Page 2

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

Gary DeForest MacIntyre, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers "on-call" between the City of Simi Valley, on the one hand, and the Los Angeles International Airport (LAX), Burbank-Glendale-Pasadena Airport (BUR), on the other hand, over and along the routes described, subject, however, to the authority of this Commission to change or modify the routes at any time and subject to the following provisions:

- a. Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.
- b. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- c. 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.
- d. No passengers shall be transported except those having point of origin or destination at LAX or BUR.

Issued by California Public Utilities Commission.

Decision 82 04 056, Application 60959.

SECTION 2. ROUTE DESCRIPTIONS.

Route No. 1 Simi Valley - LAX

Commencing at any point within the city limits of Simi Valley, over and along the most appropriate route or routes to State Highway 118, east on State Highway 118 to DeSoto Avenue, south on DeSoto Avenue to Devonshire Street, east on Devonshire Street to Interstate Highway 405 (I-405), south on I-405 to La Tijera Boulevard, southeast on La Tijera Boulevard to Sepulveda Boulevard, south on Sepulveda Boulevard to Century Boulevard, west on Century Boulevard to LAX, and return.

Route No. 2 Simi Valley - BUR

Commencing at any point within the city limits of Simi Valley, over and along the most appropriate route or routes to State Highway 118, east on State Highway 118 to DeSoto Avenue, south on DeSoto Avenue to Devonshire Street, east on Devonshire Street to Balboa Avenue, north on Balboa Avenue to State Highway 118, east on State Highway 118 to Interstate Highway 5 (I-5), southwest on I-5 to Hollywood Way, south on Hollywood Way to BUR, and return.