

Decision 82-08-102 August 18, 1982

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Luther R. Munoz d/b/a Stagecoach for )  
 certificate of public convenience and )  
 necessity to operate Passenger and )  
 Express service between Los Angeles )  
 International Airport, Ontario )  
 International Airport, Palm Springs )  
 International Airport, Los Angeles )  
 Port, San Pedro and Wilmington and )  
 customer's homes in Grand Terrace, )  
 Loma Linda, Redlands and Yucaipa. )

Application 82-01-51  
 (Filed January 25, 1982;  
 amended March 2, 1982)

O P I N I O N

Luther R. Munoz (PSC-1182), doing business as Stagecoach, operates an on-call, door-to-door passenger stage corporation airport shuttle service between part of the unincorporated territory of Yucaipa and the Cities of Redlands, Loma Linda, and Grand Terrace, on the one hand, and Ontario International Airport (ONT), on the other hand, under authority granted by Decision (D.) 93608 dated October 6, 1981 in Application 60442.

By the application, as amended and as further amended by letter dated May 20, 1982, Munoz seeks authority to provide the following additional on-call, door-to-door certificated passenger stage service for the transportation of passengers and their baggage:

1. Between San Bernardino, Grand Terrace, Loma Linda, Redlands, Yucaipa, and Calimesa, on the one hand, and Palm Springs Airport (PSP), Los Angeles International Airport (LAX), and passenger piers in Wilmington and San Pedro Harbor (Harbor), on the other hand.

2. Between Calimesa and San Bernardino, on the one hand, and ONT, on the other hand.
3. Between ONT, on the one hand, and PSP, LAX, and Harbor, on the other hand.

The application and amendment were listed on the Commission's Daily Calendars of January 27 and March 4, 1982, respectively. Copies of each were served on other passenger stage corporations and interested governmental agencies in accordance with the Commission's Rules of Practice and Procedure. A protest filed by Skyview Limousine Service, Inc. was withdrawn upon the filing by Munoz of the May 20, 1982 letter amendment removing the request to serve between PSP, on the one hand, and LAX and Harbor, on the other hand. No other protest or request for hearing has been received.

The proposed one-way adult fares between the additional points Munoz seeks authority to serve, the fares for additional adults and children traveling in the same party, and the charge for additional stops to pick up persons in the same party are as follows:

	<u>LAX/Harbor</u>	<u>ONT</u>	<u>PSP</u>
San Bernardino	\$55	\$25	\$35
Grand Terrace	55	-	35
Loma Linda	55	-	35
Redlands	55	-	35
Yucaipa	55	-	35
Calimesa	55	25	35
LAX	-	45	-
ONT	45	-	55

1. For persons in the same party picked up or discharged at the same address, the additional per person charges are \$15 for adults and \$7.50 for children 6 to 11 years of age.
2. An additional charge of \$5 will be made for each extra stop to pick up or discharge any person(s) in the same party.
3. Fares must be paid 48 hours in advance, and full refund will be made when cancellation is received 4 hours in advance.

Munoz also proposed increased fares between Grand Terrace, Loma Linda, Redlands, and Yucaipa, on the one hand, and ONT, on the other hand, which he now serves under his present authority. Since no justification for these increases is included in the application, as amended, as required by Public Utilities (PU) Code § 454, there is no basis on this record for considering this request, and it will be denied.

The proposed service would be operated seven days a week, 24 hours a day, and would be provided with an 8-passenger 1978 Ford van. The on-call service would be operated directly from and to the passenger's home, place of business, or other such location. According to the financial data included with the application, Munoz has assets of \$177,600, liabilities of \$131,358, and a net worth of \$46,242.

The application further states as follows:

1. Munoz has sufficient financial resources to institute and operate the proposed service.
2. The door-to-door service sought to be provided by Munoz is different and distinct from any public transportation currently offered in the proposed areas.
3. Public convenience and necessity require the proposed service.
4. The granting of the sought authority would have no significant adverse effect upon the environment. On the contrary, it would benefit the environment and the public by reducing the number of private vehicles on the roads.
5. The proposed service should be profitable.

#### Findings of Fact

1. Public convenience and necessity require the granting of an extension of Munoz's present certificate of public convenience and necessity to establish passenger stage operations between the points and over the routes as provided in the following order.
2. Munoz has the experience and financial resources to initiate and provide the proposed service.
3. There are no protests to the proposed extension of service.
4. The request by Munoz to increase rates on his present authorized route has not been justified.
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.

#### Conclusions of Law

1. The request by Munoz for an extension of his present passenger stage corporation authority should be granted as set forth in the ensuing order.
2. The request by Munoz to increase rates on his present authorized route should be denied.

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 Luther R. Munoz authorizing him to expand his operations as a passenger stage corporation, as defined in PU Code § 226, to transport persons and their baggage. Appendix A of D.93608 is amended by replacing Original Pages 2, 3, 4, and 5 with First Revised Pages 2, 3, 4, and 5, attached.

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 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 becomes effective 30 days from today.

Dated AUG 18 1982, at San Francisco,  
California.

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

Commissioner Priscilla C. Grow,  
being necessarily absent, did  
not participate

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

  
Joseph E. Bodovitz, Executive Director

Appendix A  
(Dec.93608)

LUTHER R. MUNOZ  
an individual  
(PSC-1182)

First Revised Page 2  
Cancels  
Original Page 2

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

\*Luther R. Munoz, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to operate as a passenger stage corporation to provide on-call, door-to-door airport shuttle transportation service between that portion of the unincorporated territories of Yucaipa and Calimesa, as described in Section 2, and the Cities of Redlands, Loma Linda, Grand Terrace, and San Bernardino, on the one hand, and the Palm Springs Airport (PSP), Ontario Airport (ONT), Los Angeles International Airport (LAX), and shipboard passenger piers located in Wilmington and San Pedro, on the other hand, and between ONT, on the one hand, and PSP, LAX, and shipboard passenger piers located in Wilmington and San Pedro, on the other hand, over and along the routes described, subject, however, to the authority of this Commission to change or modify these routes at any time and subject to the following conditions:

- (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) All service authorized shall be limited to the transportation of passengers with origin or destination at PSP, ONT, LAX and shipboard passenger piers located in Wilmington and San Pedro, EXCEPT: No passengers shall be transported in either direction between Palm Springs Airport and LAX, and between Palm Springs Airport and shipboard passenger piers located in Wilmington and San Pedro.

Issued by California Public Utilities Commission.

\*Changed by Decision 82-08-102, Application 82-01-51.

Appendix A  
(Dec. 93608)

LUTHER R. MUNOZ  
an individual  
(PSC-1182)

First Revised Page 3  
Cancels  
Original Page 3

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,  
AND SPECIFICATIONS. (Continued)

- \*(d) Service shall be rendered via a direct route from the point of origin to the point of destination, except that when more than one passenger is to be transported in a single vehicle, service shall be rendered by the most direct routings possible, taking into consideration the various points of origin or destinations of passengers.
- (e) Routes may be combined for operational purposes.
- (f) 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.
- (g) The service shall be door-to-door, on-call, 24 hours per day, 7 days per week. ✓
- (h) All service will be provided in accordance with the rules promulgated by the Public Utilities Commission of the State of California for the operation of passenger stage service and otherwise with the rules specified in the carrier's tariff to be filed with the Commission.

Issued by California Public Utilities Commission.

\* Changed by Decision 82-08-102, Application 82-01-51.



Appendix A  
(Dec. 93608)

LUTHER R. MUNOZ  
an individual  
(PSC-1182)

First Revised Page 4  
Cancels  
Original Page 4

SECTION 2. SERVICE AREA DESCRIPTIONS.

YUCAIPA-CALIMESA TERRITORIES

\* Beginning at the intersection of Glen Oak Road and Pendleton Avenue, then south on Pendleton Avenue and Fremont Street to Bella Vista Drive, east on Bella Vista Drive to Holmes Street, south on Holmes Street to Avenue "F", east on Avenue "F" to Jefferson Street, south on Jefferson Street and Grant Street to Avenue "E", east on Avenue "H" to Holmes Street, south on Holmes Street to County Line Avenue, north on County Line Avenue to Fremont Street, south on Fremont Street to Avenue "L", west on Avenue "L" to the Beaumont Redlands Road, southeasterly on Beaumont Redlands Road and Bryant Street to Condit Avenue, southwest on Condit Avenue and Singleton Road to Interstate Highway 10 (I-10), then northwest on I-10 to Sixteenth Street, north on Sixteenth Street to Yucaipa Boulevard, east on Yucaipa Boulevard, to Oak Glen Road, then northeast and east on Glen Oak Road to point of beginning.

REDLANDS-LOMA LINDA-GRAND TERRACE-PALM SPRINGS

All points within the geographical limits of the Cities of Redlands, Loma Linda, and Grand Terrace.

\*\*SHIPBOARD PASSENGER PIERS

1. Wilmington
2. San Pedro

Issued by California Public Utilities Commission.

\*Changed and \*\*Added by Decision 82-08-102, Application 82-01-51.

T/ri/bw \*

Appendix A  
(Dec.93608)

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First Revised Page 5  
Cancels  
Original Page 5

SECTION 3. ROUTE DESCRIPTIONS.

\*Commencing at any point within that portion of the unincorporated territories of Yucaipa and Calimesa as described in Section 2, and all points within the geographical limits of the cities of Redlands, Loma Linda and Grand Terrace then over and along the most appropriate streets and highways to the PSP, ONT, LAX, and shipboard passenger piers located in Wilmington and San Pedro. ✓

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T/ri/bw

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(Dec.93603)

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