

Decision 82 09 048 September 8, 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of: Aaron B. Carpoff)
dba C.O.S.T.A. (Coordinated Organi-)
zation of Secured Transit Associ-)
ates) for certification of public)
convenience and necessity to)
operate as a passenger stage)
company between points in Contra)
Costa County.)

Application 82-06-17
(Filed June 3, 1982)

O P I N I O N

Applicant Aaron B. Carpoff, an individual doing business as C.O.S.T.A. (Coordinated Organization of Secured Transit Associates), requests a certificate to operate as an on-call passenger stage corporation within and between certain areas in Contra Costa County as more particularly described below. The application was served on the municipalities involved, Contra Costa County, and North Bay Transit. The application was noticed in the Commission's Daily Calendar of June 7, 1982. No protests to the application have been received.

The application shows applicant has been in the contract chauffeur and taxicab business in Contra Costa County for the past 12 years. During the past two years he has operated a subsidized transit service in Lafayette, Moraga, and Orinda areas transporting senior citizens and handicapped persons, while providing nonsubsidized service to the general public. Applicant's current net worth approximates \$277,000.

The proposed routes and areas of operations as set out in the application are as follows:

"ROUTE AREA 1CL. All of that geographical area known as Clayton, inclusive of (a) the City of Clayton and (b) areas of Marsh Creek Road and Morgan Territory Road wherein address designates Clayton as a postal placement.

"ROUTE AREA 2WC. All of the geographical area known as Walnut Creek, but only to include that part wholly within the city limits of the City of Walnut Creek.

"ROUTE AREA 3DA. That geographical area known as Danville, Alamo, and San Ramon, as postal areas and inclusive of the area contiguous to the merge of Danville Boulevard and South Main Street in Walnut Creek.

"ROUTE AREA 4MP. That geographical area known as Martinez, Pacheco and Pleasant Hill, as postal areas.

"ROUTE AREA 5OL. That geographical area known as Orinda, Moraga and the City of Lafayette (within the City limits), as postal areas.

"ROUTE YC CONNECTION. As a means of connecting route area 1CL to route area 2WC, authority is requested to use that part of Ygnacio Valley road and Clayton road which will accomplish the purpose."

Service will also be given between route areas upon request.

The application states that ride appointments in route areas 1CL, 2WC, 3DA, and 4MP must be made a day in advance of the day service is required, except that applicant may accept a passenger on less notice if he has a vehicle designated for dispatch to pick up a reservation, no undue delay to the reserved passenger occurs, and seating capacity is available. Route area 50L will be served on demand with as little as 15 minutes required to make a reservation. Vehicles will be transferred from one route area to another as the demand requires.

Fares within any one route area will be \$6 per passenger per trip, except trips within the city limits of Lafayette will be \$4 each. Fares between route areas will be the aggregate of the origin area and destination area fares.

The service proposed will be made available for trips taken between 8:00 a.m. and 4:00 p.m. Monday through Friday exclusive of bank holidays. The dispatcher will be available by telephone during normal service hours. Appointments for Mondays must be made the preceding Friday.

Applicant proposes to enter into contracts with municipalities within the proposed service areas for the subsidized transportation of senior citizens and handicapped persons. He will offer a fare of \$1 for each of these passengers within a single service area and \$2 for passage between service areas.

Applicant intends to operate two compact-type, four-door sedans with four-cylinder engines in his normal operations but may add up to six vehicles of the seven-passenger or less category when and if it becomes economically feasible. In the subsidized service he expects to operate up to 15 additional vehicles as specified by the context of the subsidy contracts. Some of these vehicles may be equipped with wheelchair lifts.

Applicant states that it is his experience and belief that there is a demand for both feeder service to the BART system and desire for transportation to and from medical facilities, shopping

centers, and other commercial centers along the requested corridors of travel to the extent that public convenience and necessity require the proposed service.

Findings of Fact

1. Applicant requests a certificate to operate as a passenger stage corporation within and between points in Contra Costa County as more particularly described above.

2. Applicant has had experience as a contract chauffeur and taxicab operator in Contra Costa County for the past 12 years and has provided subsidized transit service in the Lafayette, Moraga, and Orinda areas for the transportation of senior citizens and handicapped persons.

3. The proposed service will be on-call and will operate between 8:00 a.m. and 4:00 p.m. Monday through Friday exclusive of bank holidays.

4. Ride appointments for service in the route areas 1CL, 2WC, 3DA, and 4MP must be made a day in advance of the day service is required.

5. Route area 50L will be served on demand with as little as 15 minutes required to make a reservation.

6. Fares will be \$6 per passenger for service within any one route area, except the fare for service within the city limits of Lafayette will be \$4 each. Fares between route areas will be the aggregate of the origin area and destination area fares.

7. Applicant will enter into contracts with municipalities within the proposed route areas for subsidized transportation of senior citizens and handicapped persons at fares of \$1 per passenger within a service area and \$2 per passenger between route areas.

8. Applicant will operate at a minimum two compact-type, four-door sedans with four-cylinder engines and may add up to six more vehicles if the operations need them.

9. In the subsidized service he may operate up to 15 additional vehicles if required by the subsidy contracts. ✓

10. Applicant is financially fit and willing and able to conduct the proposed operation.

11. Public convenience and necessity require the granting of the requested certificate.

12. A hearing is not necessary.

13. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

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.

Conclusion of Law

The application should be granted.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Aaron B. Carpoﬀ, an individual, authorizing him to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1241, 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 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.

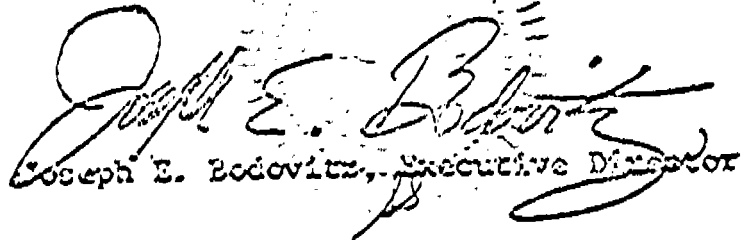
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

This order becomes effective 30 days from today.

Dated SEP 8 1982, at San Francisco, California.

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

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


Joseph E. Bodovitz, Executive Director

T/jc

Appendix PSC-1241

AARON B. CARPOFF

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-1241

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 09 048, dated
SEP 8 1982, of the Public Utilities Commission of
the State of California, Application 82-06-17.

T/jc /vd1

Appendix PSC-1241

AARON B. CARPOFF

Original Page 1

I N D E X

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| SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS | 2, 3 |
| SECTION 2. ROUTE DESCRIPTIONS | 4, 5, 6 |

Issued by California Public Utilities Commission.

Decision 82 09 048, Application 82-06-17.

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

Aaron B. Carpoﬀ, an individual, by the decision noted in the margin, is authorized to operate as a passenger stage corporation to transport passengers, and their baggage, over and along the routes described, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. All vehicles to be used will be clearly marked and identified as "Dial-a-Ride" vehicles and shall have no meters, roof dome, top light, or other devices peculiar to taxicabs.
- b. Service shall be provided in response to advance telephone reservations, although the carrier shall also transport persons who request transportation in person while the vehicles are operating en route. Priority shall be given to advance telephone reservations, however, in the event that not all passengers can be seated in a given vehicle. Conditions attendant to the reservations process, including the number of minutes of advance time required to assure transportation in response to a reservation, shall be set forth in the carrier's tariffs and timetables to be filed with this Commission.
- c. The hours of service shall not be less than from 8:00 a.m. to 4:00 p.m. Mondays through Fridays except for holidays observed by banking institutions. Hours of service shall be set forth in the carrier's timetables to be filed with this Commission.

Issued by California Public Utilities Commission.

Decision 82 09 048, Application 82-06-17.

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

- d. This passenger stage service shall be operated and marketed as a distinct service, with vehicles, telephone directory listing(s), and telephone reservation number(s) different from those of any other transportation services. Applicant shall not sell or refer callers for these certificated services to taxicab transportation within the service area described below, except for transportation outside the hours of service of these certificate operations.
- e. Routing shall be by the shortest reasonable route, designed to carry the passengers to their specified destinations within the service area in an expeditious manner, taking into consideration the destinations of all the passengers in the vehicle.
- f. Transportation shall only be rendered in vehicles of 15 or less passenger capacity, including the driver.

Issued by California Public Utilities Commission.

Decision 82-09-048, Application 82-06-17.

SECTION 2. ROUTE DESCRIPTIONS.

Transportation of passengers and their baggage shall be provided on an "on-call" basis within each service territory described below and between service territories via the most appropriate streets and highways.

1. Service Territory 1 CL

That area of Contra Costa County bounded by the City of Clayton and the unincorporated areas east of Clayton along Marsh Creek Road to its intersection with Deer Valley Road, and the unincorporated areas east of Clayton along Morgan Territory Road to its intersection with a north-south line passing through the point of intersection of Marsh Creek Road and Deer Valley Road.

2. Service Territory 2 WC

The City of Walnut Creek

Issued by California Public Utilities Commission.

Decision 82 09 043, Application 82-06-17.

SECTION 2. ROUTE DESCRIPTIONS. (Continued)

3. Service Territory 3 DA

That area of Contra Costa County bounded on the north by an east-west line passing through the point of intersection of Danville Boulevard and South Main Street in Walnut Creek, on the south by the Alameda/Contra Costa County boundary, on the west by a line parallel and 2 miles west of Interstate 680, and on the east by a line parallel and 2 miles east of Interstate 680.

4. Service Territory 4 MP

That area of Contra Costa County consisting of the Cities of Martinez and Pleasant Hill and including the unincorporated community of Pacheco within a 1-mile radius of the intersection of Pacheco Boulevard and Center Street.

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Decision 82 09 048, Application 82-06-17.

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Appendix PSC-1241

AARON B. CARPOFF

Original Page 6

SECTION 2. ROUTE DESCRIPTIONS. (Continued)

5. Service Territory 5 OL

That area of Contra Costa County consisting of the City of Lafayette, the Town of Moraga, and the unincorporated community of Orinda within a 4-mile radius of the intersection of State Highway 24 with Camino Pablo.

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CORRECTION

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THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

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CONFIDENTIAL

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