

ORIGINAL

Decision 83 02 056 FEB 16 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of Mr. David M. Coddington and)
Mr. Lawrence E. Emmons, dba High)
Desert Passenger Service, for)
Certificate of Public Convenience)
and Necessity to operate a Pas-)
senger Stage Service between points)
in the Hi-Desert area of San)
Bernardino County and the Ontario)
Airport.)

Application 82-10-64
(Filed October 28, 1982)

O P I N I O N

Applicants David M. Coddington and Lawrence E. Emmons, dba High Desert Passenger Service, seek a certificate of public convenience and necessity to operate as a passenger stage corporation as defined in Public Utilities (PU) Code Section 226.

Applicants propose to provide on-call, door-to-door passenger service in San Bernardino County from business establishments, hotels, and motels in the City of Victorville and the community of Hesperia, to Ontario International Airport (Airport). The service would be available 24 hours per day, seven days per week. Passengers will be required to make 24-hour advance reservations.

Applicants own and propose to operate a 7-passenger 1978 Royal Sportsman Dodge Window Van equipped with air-conditioning. Applicants' proposed fares, as modified in applicants' letter of January 7, 1983, for persons transported from the same address are \$50 for one or two persons, an additional \$20 for a third person, and an additional \$15 per person for the fourth to seventh

person carried. If round-trip reservations are made, applicants will require payment of round-trip fares when the initial service is performed. There would be no additional charge for carrying of up to two suitcases per passenger. Applicants propose a \$1 surcharge for each piece of extra luggage. In addition, applicants propose a per item charge of \$2 to carry skis, golf bags, foot-lockers, or large cartons and a \$5 per item charge for transportation of bicycles or pets. Applicants would follow the most direct route between Hesperia and/or Victorville to or from Airport as depicted on Exhibit B attached to the application.

Notice of the filing of this application appeared on the Daily Transportation Calendar of November 3, 1982. There were no protests.

Applicants contend that public convenience and necessity require approval of their application because (a) their proposed transportation by van differs from any public transportation available to the public between Hesperia and/or Victorville and Airport, and (b) they have received positive public response from travel agencies and members of the general public in support of their application. The application contains letters from five travel agencies supporting the application.

As of October 1982 applicants' assets totaled \$155,000 including \$4,500 in cash, \$7,500 in a T-Bill account, real estate of \$123,000, automobiles of \$8,000, and household contents of \$12,000. Their liabilities totaled \$47,000 of real estate debt. Their net worth was \$108,000. Applicants estimate annual passenger stage revenues of \$28,000 and charter-party revenues^{1/} of \$10,000.

^{1/} On December 6, 1982, a charter-party permit (TCP 2043-P) was issued to applicants.

Their estimated operating expenses total \$11,013, leaving a net operating income, exclusive of income taxes, of \$26,987. In addition, applicants project net nonoperating income of \$10,000.

Findings of Fact

1. Applicants request a certificate of public convenience and necessity to operate a passenger stage corporation. Applicants possess the equipment, the financial resources, and ability to operate the proposed service.

2. Applicants will provide a needed door-to-door passenger stage service between Hesperia and/or Victorville and Airport.

3. The revised rates proposed are reasonable.

4. 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. Applicants have 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 applicants 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 David M. Coddington and Lawrence E. Emmons authorizing them 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 PSC-1281, 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 within 120 days after this order is effective.
- c. State in their tariffs when service will start; allow at least 10 days' notice to the Commission; and make their 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.

3. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

This order is effective today.

Dated FEB 16 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

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


Joseph E. Bodovitz, Executive Director

Appendix PSC-1281

DAVID M. CODDINGTON
and
LAWRENCE E. EMMONS

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC - 1281

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 83 02 056, dated FEB 16 1983
of the Public Utilities Commission of the State of California in
Application 82-10-64.

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Issued by California Public Utilities Commission.
Decision 83 02 056, Application 82-10-64.

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

David M. Coddington and Lawrence E. Emmons, by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized to transport persons and baggage, between Ontario International Airport (ONT), on the one hand, and the city of Victorville and the community of Hesperia, 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. 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 destination of the several passengers.

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

- d. The service performed may be on an on-call basis. 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.
- e. No passenger shall be transported except those having point of origin or destination at ONT.
- f. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

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Appendix PSC-1281

DAVID M. CODDINGTON
and
LAWRENCE E. EMMONS

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SECTION 2. ROUTE DESCRIPTION.

Commencing at any point within the boundaries of the city limits of Victorville and the community of Hesperia, then over or along the most convenient route or routes to ONT.

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