

ORIGINAL

Decision 83 04 043 APR 6 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of David and Linda Wittmann,)
husband and wife, for permission)
to acquire all right, title and)
interest of Robert L. Curtis dba)
"Bob's Ride" to Certificate of)
Public Convenience and Necessity)
Number 1061 together with all)
assets of Bob's Ride.)

Application 83-02-33
(Filed February 15, 1983)

O P I N I O N

Robert L. Curtis (seller), an individual doing business as "Bob's Ride", seeks to sell and transfer, and David and Linda Wittmann (buyers), husband and wife, seek to purchase and acquire all operative rights associated with seller's certificate of public convenience and necessity. The certificate in question, granted by Decision (D.) 89791 in Application (A.) 58117 and amended by D.93074 in A.59950, authorizes seller to operate as a passenger stage corporation (PSC-1061) for the transportation of passengers and their baggage between San Diego International Airport-Lindbergh Field and the United States Marine Corps base at Camp Pendleton.

Buyers propose to use the same equipment and operate under the same time schedules as are used by seller. Buyers have been employees of Bob's Ride as maintenance manager and operations manager since December 1981.

Buyers' financial statement attached to the application shows personal assets of \$201,000 and net worth of \$120,000. An income statement covering the first ten months of 1982 shows that Bob's Ride had operating revenues of \$62,769 and operating expenses (before income and other taxes) of \$42,763, resulting in an operating ratio (before taxes) of 68.1%.

The agreement for purchase attached to the application as Exhibit F provides that buyers will acquire all of the assets of Bob's Ride and will assume the debts specified in the agreement.

The application states that seller is also the operator of Computer Taxi Company in San Diego and desires to devote his full time to the taxi operation.

Copies of the application were served on Greyhound Lines, Inc., Trailways, Inc., American Buslines, Inc., Sundance Stage Lines, Inc., and William A. Carroll, doing business as Airport Stages. These carriers hold authority to operate over the same route as Bob's Ride. In addition, notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on February 17, 1983. There are no protests.

Findings of Fact

1. Buyers have the operating experience and financial ability to operate the service.
2. The purchase and transfer of the operative rights associated with this certificate will not be adverse to the public interest.
3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
4. A public hearing is not necessary.
5. Applicants request expeditious handling of this application in order to protect the buyers' right to enter the Marine Corps base at Camp Pendleton. Therefore, this decision should become effective on date of issuance.

Conclusion of Law

The proposed transfer is in the public interest and should be authorized.

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. By June 30, 1983, Robert L. Curtis (seller) may sell and transfer the operative rights specified in the application to David and Linda Wittmann (buyers).

2. Buyers shall:

- a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.
- b. Amend or reissue seller's tariffs and timetables, state in them when the service will start, make them effective 10 or more days after this order is effective, and allow at least 10 days' notice to the Commission.
- c. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- d. File an annual report of seller's operations for the period from the first day of the current year to the date of transfer.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to David and Linda Wittmann, individuals, authorizing them

to operate as a passenger stage corporation, as defined in Public Utilities Code § 226, between the points and over the routes set forth in Appendix PSC-1061, to transport passengers and their baggage.

4. The certificate of public convenience and necessity granted by D. 89791 and 93074 is revoked on the effective date of the tariffs.

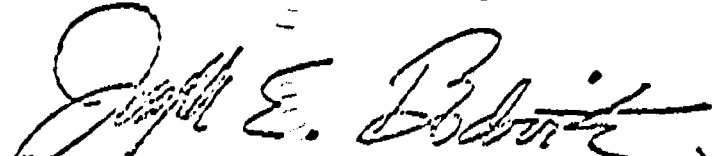
5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

This order is effective today.

Dated APR 6 1985, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VECTOR CALVO
PRISCILLA C. CREW
DONALD WIAL
Commissioners

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


Joseph E. Bodovitz, Executive Director

Appendix PSC-1061

DAVID AND LINDA
WITTMANN

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC - 1061

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 04 043,
dated APR 6 1983, of the Public Utilities Commission
of the State of California in Application 83-02-33.

I N D E X

	<u>Page</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.....	2-3
SECTION 2. DESCRIPTION OF SERVICE AREAS.....	4
SECTION 3. ROUTE DESCRIPTIONS.....	5

Issued by California Public Utilities Commission.

Decision 83 04 049, Application 83-02-33.

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

David and Linda Wittmann by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized to transport passengers and their baggage between San Diego International Airport-Lindbergh Field located in the City of San Diego, on the one hand, and Camp Joseph H. Pendleton, U.S. Marine Corps Base (Camp Pendleton Service Area), located in the County of San Diego, 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. All service authorized shall be limited to the transportation of military personnel and/or their dependents, and attendant baggage, with origin or destination at San Diego International Airport-Lindbergh Field, on the one hand, and the Camp Pendleton Service Area, on the other hand.
- d. The term "on-call" as used herein refers to service which is authorized to be rendered dependent on the demands of passengers. Applicant's tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.

Issued by California Public Utilities Commission.

Decision 83 04 049, Application 83-02-33.

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

- e. Service shall be restricted to the transportation of passengers in motor vehicles having a capacity not exceeding 22 passengers, including the driver, and one additional vehicle with a capacity in excess of 22 passengers.

Issued by California Public Utilities Commission.

Decision 83 04 049, Application 83-02-33.

SECTION 2. DESCRIPTION OF SERVICE AREAS.

Camp Pendleton Service Area

Pickup and discharge of passengers shall be limited to the Main Gate and San Luis Rey Gate of Camp Joseph H. Pendleton and to those points within the military boundaries of Camp Joseph H. Pendleton as authorized by the command.

SECTION 3. ROUTE DESCRIPTIONS.

Route 1. San Diego International Airport-Camp Pendleton Service Area

Beginning at San Diego International Airport-Lindbergh Field, 3650 N. Harbor Drive, in the City of San Diego, where passengers embark; then south on Harbor Drive, east on Laurel Street, north on India Street to north on Interstate Highway 5 (I-5), east on State Highway 76, north on North River Road to Camp Pendleton Service Area via San Luis Rey Gate where passengers are discharged. Return to San Diego International Airport-Lindbergh Field from the Camp Pendleton Service Area via west on Vandegrift Boulevard to south on Interstate Highway 5 (I-5) to point of beginning along reverse of street routes in City of San Diego.

ROUTE 2. San Diego International Airport-Camp Pendleton Service Area

Beginning at San Diego International Airport-Lindbergh Field, 3650 N. Harbor Drive, in the City of San Diego, where passengers embark; then south on Harbor Drive, east on Laurel Street, north on India Street to north on Interstate Highway 5 (I-5) to Camp Pendleton Main Gate, Vandegrift Boulevard and Camp Pendleton Service Area. Return via west on Vandegrift Boulevard and Main Gate to south on Interstate Highway 5 (I-5) to point of beginning along reverse of street routes in the City of San Diego. Alternate return route from Camp Pendleton Service Area via exit San Luis Rey Gate and continue south on North River Road to State Highway 76, west on State Highway 76 to south on Interstate Highway 5 (I-5) to point of beginning along reverse of street routes in City of San Diego.

Issued by California Public Utilities Commission.

Decision 83 04 049, Application 83-02-33.



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. By June 30, 1983, Robert L. Curtis (seller) may sell and transfer the operative rights specified in the application to David and Linda Wittmann (buyers).
2. Buyers shall:
 - a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.
 - b. Amend or reissue seller's tariffs and timetables, state in them when the service will start, make them effective 10 or more days after this order is effective, and allow at least 10 days' notice to the Commission.
 - c. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
 - d. File an annual report of seller's operations for the period from the first day of the current year to the date of transfer.
 - e. Maintain accounting records in conformity with the Uniform System of Accounts.
3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to David and Linda Wittmann, individuals, authorizing them