

ORIGINAL

Decision 83 06 032 JUN 1 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of EASTBAY AIRPORTER, INC., for)
authority to issue stock,)
pursuant to Section 818 of the)
Public Utilities Code.)

Application 83-03-81
(Filed March 30, 1983;
amended April 22, 1983)

O P I N I O N

Eastbay Airporter, Inc. (Airporter), requests authority under Section 816 through 818 of the Public Utilities (PU) Code to issue 700,000 shares of its no par, \$.05 stated value common stock to Jesse L. Sanders in cancellation of indebtedness to him for \$35,000 cash.

Notice of the filing of the application and amendment appeared on the Commission's Daily Transportation Calendars of April 4 and April 29, 1983, respectively. No protests have been received.

Airporter was incorporated December 1, 1981 and filed its Articles in connection with Application (A.) 82-02-20, dated February 11, 1982, Decision (D) 82-09-045.

Airporter reported in its annual report, marked as Exhibit A to its application that it generated total operating revenues of \$31,456 and incurred a net loss of (\$36,487).

Airporter's Balance Sheet as of December 31, 1982 from the same Exhibit is summarized as follows:

<u>Assets</u>	
Net Operating Equipment	\$195,241
Current Assets and Prepayments	45,846
Other Assets	<u>844</u>
Total	\$241,931
<u>Liabilities and Common Equity</u>	
Common Equity	\$ (2,056)
Long-Term Debt	81,890
Current Liabilities	<u>162,097</u>
Total	\$241,931

Airporter holds and operates under a passenger stage corporation certificate (PSC-1234) issued by D.82-09-045 dated September 8, 1982 in A.82-02-20. The decision authorizes the transportation of passengers, baggage and express between Oakland International Airport, Oakland, Emeryville, Berkeley, El Cerrito, Richmond, Walnut Creek, Concord, Hayward, Dublin, San Francisco International Airport, Hayward and Dublin. Applicant also operates a Class "B" Charter issued to Sanders Bus Lines, Inc., DBA Eastbay Airporter, Inc. by PU Commission File TCP-95-B.

Airporter proposes to use the \$35,000 capital received from Jesse L. Sanders to cancel a specific utility debt of \$10,000, and to purchase two-way radios to be installed in vehicles.

By amendment dated April 22, 1983, Airporter provided a projected cash flow statement indicating that the carrier expects to become profitable within the next calendar year. The projected operating statement for the year ending March, 1984 estimates that it expects to generate gross operating revenues of \$483,150, and have total expenses of \$466,730, resulting in an estimated profit of \$16,420 and an operating ratio of 96.6%.

The application indicates that Jesse L. Sanders, President of Airporter with his knowledge and expertize, believes that he can make Airporter a profitable carrier and provide a needed service to Airporter's customers.

The Transportation Division and the Revenue Requirements Division have reviewed the application and conclude that Airporter's request to be reasonable and should be granted.

Findings of Fact

1. Airporter is a California corporation, a certificated passenger carrier subject to the jurisdiction of this Commission.
2. Airporter requests that it be allowed to issue 700,000 shares of it no par common stock at a stated value of \$.05 per share to Jesse L. Sanders in cancellation of indebtedness to him arising out of a transfer of \$35,000 in cash.

3. The authority requested is not adverse to the public interest.

4. There is no known opposition and no reason to delay granting the authority requested.

Conclusions of Law

1. A public hearing is not necessary.

2. The application should be granted to the extent set forth in the order which follows.

The number of shares outstanding, the total stated value of the shares, and the dividends paid do not determine allowable return on plant investment. This authorization is not a finding of the value of the utility's stock or property, nor does it indicate the amounts to be included in ratesetting proceedings.

O R D E R

IT IS ORDERED that:

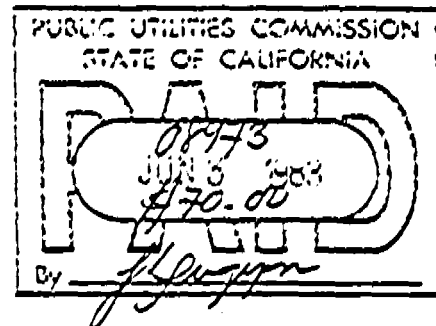
1. On or after the effective date of this order and on or before December 31, 1983, for the purposes specified in the application, Eastbay Airporter, Inc., may issue, sell, and distribute 700,000 of its no par common stock with a stated value of \$.05 per share to Jesse L. Sanders in cancellation of indebtedness to him of \$35,000 in cash.

2. Eastbay Airporter, Inc., shall file the reports required by General Order Series 24.

3. This order shall become effective 30 days from the date of signature and upon payment of \$70, the fee prescribed by PU Code Section 1904.1.

Dated JUN 1 1983, at San Francisco, California.

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



I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE PUBLIC
COMMISSIONERS.

[Signature]
Joseph E. Bodovitz, Executive Director