

Decision 83 07 044 July 20, 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 NRS, Inc., a California corporation,  
 dba Coast Management Services, and  
 San Diego Wholesale Credit  
 Association, for authority to transfer  
 certificates of public convenience and  
 necessity to operate a passenger stage  
 corporation, pursuant to Section 1031  
 of the California Public Utilities  
 Code; and Charles Cardoza and  
 Stephanie Cardoza, individuals to  
 acquire and control the certificated  
 passenger stage corporation operations  
 of NRS, Inc.

Application 83-02-11  
(Filed February 4, 1983)

O P I N I O N

Applicants have applied for authority to transfer a passenger stage certificate from NRS, Inc. (NRS) to Charles and Stephanie Cardoza. The operation will be continued as it was prior to the transfer and the same vehicles and equipment will be used. The authority to be transferred is described as follows: between San Diego International Airport-Lindbergh Field, San Diego, on the one hand, and the following communities located in San Diego County, on the other hand:

1. Escondido, Vista, Fallbrook, San Marcos, Lake San Marcos, Penasquitos, and Poway (Decision (D.) 86120 dated July 19, 1976, as amended).
2. Rancho Santa Fe, Rancho Bernardo Service Territory, and Miramar (D.88355 dated January 17, 1978, as amended).
3. Oceanside, Carlsbad, Leucadia, Encinitas, Cardiff by the Sea, Solana Beach, Del Mar, and Scripps Miramar Ranch (D.89741 dated December 12, 1978, as amended).

The above decisions granted passenger stage corporation certificates to Daniel F. Stuart. Subsequently, by D.92047 dated July 15, 1980, Stuart was granted authority to transfer his passenger stage corporation certificate to NRS. Also to be transferred is a separate certificate granted by D.82-06-100, as amended by D.82-07-077, which authorizes service between points in San Diego and the Los Angeles International Airport.

It is alleged that NRS's assets were transferred to San Diego Wholesale Credit Association for the benefit of creditors on December 17, 1982, which is the date the parties executed an agreement of sale transferring the assets and business to the Cardozas for \$35,000. This sum includes \$7,500 for the passenger stage certificates. The Cardozas' financial statement of assets, expenses, and income, including tax forms, is attached to the application. The Cardozas have the necessary financial ability to take over the business and continue to provide the service.

Findings of Fact

1. The Cardozas have the ability, experience, equipment, and financial resources to perform the proposed service.
2. The transfer will not be adverse to the public interest.
3. A public hearing is not necessary.
4. The authority held by NRS will be revoked on the date the new tariffs become effective and a new certificate issued to the Cardozas.
5. This order should be effective on the date signed to facilitate the prompt transfer of assets, equipment, and cash.

Conclusion of Law

The proposed transfer is in the public interest and should be authorized. 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. NRS, Inc. and San Diego Wholesale Credit Association may sell and transfer the operative rights and property specified in the application to Charles and Stephanie Cardoza.
2. Purchaser 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 sellers' 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 sellers' 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 Charles and Stephanie Cardoza, individuals, authorizing them 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-1004, to transport passengers and baggage.

4. The certificates of public convenience and necessity granted by D.92047 and D.82-06-100, as amended, are 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.

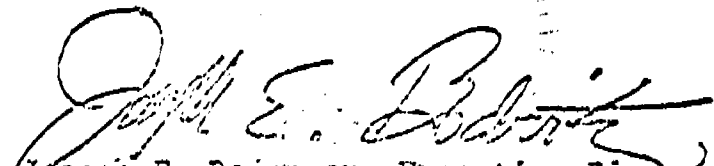
This order is effective today.

Dated JUL 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President

VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

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

  
Joseph E. Bodovick, Executive Director

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Appendix PSC-1004

CHARLES AND STEPHANIE  
CARDOZA

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC - 1004

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Showing passenger stage operative rights, restrictions, limitations,  
exceptions, and privileges.

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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.

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Issued under authority of Decision JUL 20 1983, dated  
83 07 044, of the Public Utilities Commission of the  
State of California in Application 83-02-11.

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Issued by California Public Utilities Commission.

Decision 83 07 044, Application 83-02-11.

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

Charles Cardoza and Stephanie Cardoza, 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 points in San Diego, Orange and Los Angeles Counties and certain intermediate and adjacent territories 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 operated 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.
- d. Service is restricted to the transportation of passengers and their baggage in equipment not exceeding 15 passengers capacity, including driver.

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Decision 83 07 044, Application 83-02-11.

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

- e. No origin and destination passengers shall be transported, in either direction, between Los Angeles International Airport (LAX) and John Wayne/Orange County Airport (SNA) or between LAX and the San Pedro/Long Beach Harbors.
- 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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SECTION 2. ROUTE DESCRIPTIONS.

Route 1. San Diego International Airport (SAN) - North  
San Diego County

Service between SAN, on the one hand, and the eighteen communities of Escondido, Vista, Fallbrook, San Marcos, Lake San Marcos, Penasquitos, Poway, Rancho Santa Fe, Miramar, Rancho Bernardo Service Territory, Oceanside, Carlsbad, Leucadia, Encinitas, Cardiff-By-The-Sea, Solana Beach, Del Mar, and that certain area commonly referred to as Scripps Miramar Ranch located in the County of San Diego, on the other hand.

Route 2. SAN - LAX

Service between SAN, on the one hand, and City of San Diego, La Jolla, San Clemente, San Juan Capistrano, Laguna Hills, SNA, San Pedro/Long Beach Harbors and LAX, on the other hand.

Route 3. Northern San Diego County - LAX

Service between the eighteen North San Diego County communities listed in Route 1, on the one hand, and San Diego Amtrak Station, Montgomery Field, SNA, San Pedro/Long Beach Harbors and LAX, on the other hand.

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Appendix PSC-1004

CHARLES AND STEPHANIE  
CARDOZA

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

Route 4. City of San Diego - LAX

Service between City of San Diego (Amtrak Railroad Station and visitor information center), on the one hand, and San Clemente, San Juan Capistrano, Laguna Hills, SNA, San Pedro/Long Beach Harbors and LAX, on the other hand.

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Appendix PSC-1004

CHARLES AND STEPHANIE  
CARDOZA

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SECTION 3. RANCHO BERNARDO SERVICE TERRITORY

Beginning at the intersection of Black Mountain Road and the city limits of San Diego, southwesterly along the city limits to a point due west of the intersection of Stone Canyon Road and Pomerado Road, southerly along Pomerado Road to Russ Lane, easterly along direct line to the intersection of Espola Road and Stone Canyon Road, northerly and westerly along Espola Road to Old Coach Road, northeasterly along Old Coach Road to a point of the intersection of Andrews Drive and Del Paso Drive, then northwesterly along a direct line to the intersection of Highland Valley Road and the San Diego Aqueduct, then due west to the city limits of San Diego, southerly along the city limits to point of beginning.

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