

Decision 83 08 023 AUG 3 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SKYVIEW LIMOUSINE
SERVICE, INC., a California corpora-
tion, for authority to carry express
between Los Angeles and Palm Springs.

)
) Application 83-05-18
) (Filed May 6, 1983)
)

O P I N I O N

Applicant Skyview Limousine Service, Inc., a California corporation, seeks authority under Public Utilities (PU) Code Section 1031, et seq. for the transportation of express (small packages not exceeding 50 pounds) between the Los Angeles service territory and the Palm Springs territory.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar on May 13, 1983. There have been no protests to the application filed with the Commission.

Applicant is a passenger stage corporation with authority to transport passengers and baggage between the Palm Springs territory, on the one hand, and the Los Angeles territory, on the other hand; between the San Diego territory, on the one hand, and the Los Angeles territory, on the other hand; and between Torrance/Long Beach, on the one hand, and the Palm Springs territory, on the other hand. Said territories are set forth in Decision 88486 dated February 7, 1978.

Applicant states that it has been operating between the Los Angeles-Palm Springs territories since 1971 and that through inadvertence in the filing of its Application 51515 on November 26, 1969 (as amended December 16, 1969) the specific

request to carry small package express was omitted. Applicant states it believed that it had authority to carry express and has, from time to time since 1971, carried express packages for customers requiring the service.

Applicant's proposed authorized service would be door-to-door service from one territory to the other and it proposes a charge of \$22 for such service. Applicant alleges its proposed door-to-door service is different from any other express package service between Los Angeles and Palm Springs.

Findings of Fact

1. Applicant currently has operating authority for the transportation of passengers and baggage between the Los Angeles territory, on the one hand, and the Palm Springs territory, on the other hand.

2. Since 1971 applicant has been under the mistaken impression that it had authority to transport express packages between Los Angeles and Palm Springs and has since that time transported express packages from time to time.

3. No protests to the application have been filed with the Commission.

4. The proposed service and rates are reasonable and there is a public need for such service.

Conclusions of Law

1. Public convenience and necessity have been shown and the requested authority should be granted.

2. Because there have been no protests and the need for the service exists, the effective date of the order should be today .

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 Skyview Limousine Service, Inc., authorizing it to expand its operations as a passenger stage corporation, as defined in Public Utilities Code Section 226, to transport express. Appendix A of Decision 77373, as amended, is further amended by replacing Fifth Revised Page 2 with Sixth Revised Page 2, and Original Page 2.1 with First Revised Page 2.1 (attached).

2. Applicant shall:

- a. File with the Transportation Division 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 its tariffs when service will start; allow at least 5 days' notice to the Commission; and make tariffs effective 5 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.
- f. Comply with General Order Series 84 (collect-on-delivery shipments). If applicant elects not to transport collect-on-delivery shipments, it shall file the tariffs required by that general order.

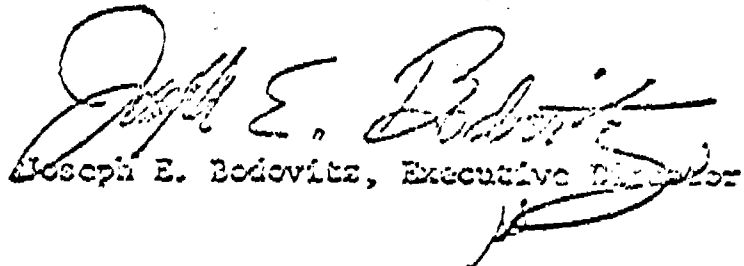
3. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized both by this Commission and by the airport authority involved.

This order is effective today.

Dated AUG 3 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. Bedovitz, Executive Director

Appendix A
(Dec. 77373)
(Dec. 88486)

SKYVIEW LIMOUSINE SERVICE, INC.
(a corporation)

Sixth Revised Page 2
Cancels
Fifth Revised Page 2

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

The certificate hereinafter noted supersedes all operative authority heretofore granted to Skyview Limousine Service, Inc., a corporation.

Skyview Limousine Service, Inc., a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers and baggage, and express shipment of packages not to exceed 50 pounds in weight as follows:

1. BETWEEN any point in Palm Springs Territory, on the one hand, AND any point in Los Angeles Territory (excluding Los Angeles International Airport), on the other hand; also, from any point in Palm Springs Territory to Los Angeles International Airport; said transportation to be performed over and along the most direct or appropriate route or routes.
 - (a) Service shall be limited to the transportation of passengers who originate at or are destined to points within either the Palm Springs Territory or Los Angeles Territory.
 - (b) No passenger shall be transported whose origin and destination are both within the limits of either the Los Angeles or Palm Springs Territories, or whose origin or destination is outside such territories.
 - (c) Service shall be operated with limousine-type air-conditioned vehicles, and no more than 11 passengers shall be transported in each vehicle, exclusive of driver.
 - *(d) Carrying of express shipments would be door-to-door service and between the Los Angeles Service territory and Palm Springs Service territory only.

Issued by California Public Utilities Commission.

*Added by Decision 83 08 023, Application 83-05-18.

Appendix A
(Dec. 77373)
(Dec. 88486)

SKYVIEW LIMOUSINE SERVICE, INC.
(a corporation)

First Revised Page 2.1
Cancels
Original Page 2.1

- *1.1. BETWEEN any point in Palm Springs Territory, on the one hand, AND particular points in Torrance, Long Beach, Seal Beach, or Disneyland Territory in Anaheim, on the other hand, over and along the route described in Section 3; also, BETWEEN any point in Palm Springs Territory, on the one hand, and the docks in Wilmington and San Pedro (Los Angeles) or Long Beach, on the other hand, over and along the most direct or appropriate routes.
- (a) Skyview Limousine Service, Inc. shall not advertise, solicit nor market any operations commencing in the Disneyland Territory, Anaheim, as described in Section 2 hereof and destined for its Palm Springs Territory as described in Section 2 hereof as a sightseeing tour or as an all-expense tour which would include payments for hotels, meals or other attractions.
 - (b) Service shall be operated with limousine-type air-conditioned vehicles, and no more than 11 passengers shall be transported in each vehicle, exclusive of driver.
 - (c) Service shall be limited to the transportation of passengers who originate at or are destined to points within the Palm Springs Territory, on the one hand, and who originate at or are destined to particular points named herein in Torrance, Wilmington, San Pedro, Long Beach, Seal Beach or points within Disneyland Territory in Anaheim, on the other hand.
 - (d) No passenger shall be transported whose origin and destination are both within the limits of the Palm Springs Territory, or are both within Torrance, Wilmington, San Pedro, Long Beach, Seal Beach, and Disneyland Territory in Anaheim, or whose origin or destination is outside such territories, communities or cities.

Issued by California Public Utilities Commission.

*Added by Decision 83 08 023, Application 83-05-18.