

Decision 83 10 027 OCT 5 - 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of JOSE R. GIMENEZ dba CAMINO)	
REAL EXPRESS for authority to)	
operate as a passenger stage cor-)	Application 83-03-78
poration between points in Orange)	(Filed March 29, 1983)
County and Los Angeles International)	
Airport and Orange County and San)	
Ysidro.)	
)	

William J. Howard, Attorney at Law, for applicant.
James H. Lvons, Attorney at Law, for Airport Service, Incorporated, protestant.
James P. Jones, for United Transportation Union; and K. D. Walpert, for Department of Transportation, City of Los Angeles; interested parties.

O P I N I O N

Applicant Jose R. Gimenez, dba Camino Real Express, seeks a certificate of public convenience and necessity under Public Utilities (PU) Code Section 1031, et seq., to operate as a passenger stage corporation for the transportation of passengers between Santa Ana and Los Angeles International Airport (LAX) and between Santa Ana and San Ysidro. Applicant proposes to perform a regularly scheduled service on a seven-day per week basis. Only passengers originating at or destined to LAX or San Ysidro will be carried.

Access
TD-5

Notice of the filing of the application appeared on the Commission's Daily Transportation Calendar dated March 31, 1983. A protest to the application has been received from Airport Service, Incorporated (ASI).

Following notice, a public hearing on the application was heard before Administrative Law Judge William A. Turkish on July 28, 1983 in Los Angeles.

At the outset of the proceeding, ASI indicated that it was protesting only that portion of the application pertaining to transportation between Santa Ana and LAX.

Testimony on behalf of applicant was presented by two public witnesses and by applicant. The testimony of the public witnesses indicated a need for the proposed service by the Spanish-speaking community and that they support the application.

During the hearing applicant and ASI entered into a stipulation whereby applicant agreed that he would not pick up passengers at any established ASI terminal points in Orange County as listed in ASI's Orange County bus schedule (Exhibit 2) or within the Anaheim Disneyland and Grand Hotel area, bounded on the north by Lincoln Boulevard, on the south by Chapman Avenue, on the west by Brookhurst Avenue, and on the east by the Santa Ana River. ASI, in return, agreed to withdraw its protest. Applicant is placed on notice that he may apply to have this restriction lifted at a later date for good cause shown. It was further agreed by the parties that the above stipulation does not apply to any service performed by applicant between Santa Ana and San Ysidro. On trips originating at LAX it was also agreed that applicant's buses will proceed directly to his terminal at Third and Broadway in Santa Ana unless a passenger desires to be dropped off at his residence within applicant's 10-mile residence pickup or destination area if such destination is between LAX and Santa Ana, in which case applicant may do so.

Applicant proposes to provide service primarily to the Spanish-speaking community in Santa Ana who have language difficulties in acquiring affordable transportation service which offers bilingual drivers and orientation upon arrival at LAX and San Ysidro. Applicant proposes to perform the service with two 15-passenger 1983 vans.

Applicant proposes three daily round trips between Santa Ana and LAX and two daily round-trip schedules between Santa Ana and San Ysidro. Between Santa Ana and LAX applicant proposes to charge one-way fares of \$15 and \$25 round-trip fares for adults, and \$7.50 one-way fares for children 4 years to 12 years of age, with round-trip fares of \$12.50. The proposed fare between Santa Ana and San Ysidro will be \$12 for adults one way or \$20 round trip, and \$6 one way for children or \$10 round trip.

The financial statement attached to the application as of March 20, 1983 shows total assets of \$50,500 and a net worth of \$37,396. In addition, applicant testified that he has sources of additional funds if needed to operate the business.

Findings of Fact

1. Applicant possesses the necessary equipment, financial resources, and ability to operate the proposed service.
2. Applicant will provide a needed bilingual service between Santa Ana and LAX and between Santa Ana and the City of San Ysidro, California.
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.

Conclusions of Law

1. Applicant has demonstrated public convenience and necessity for establishing the proposed service.

2. As protestant has withdrawn its protest, and as applicant desires to begin operations as soon as possible, the order should become effective on the date of signature.

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 Jose R. Gimenez authorizing him 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-1315, to transport persons and baggage.

2. The certificate awarded to applicant shall contain the following restrictions:

- a. Applicant is prohibited from picking up passengers at any terminal point of Airport Service, Incorporated in Orange County for service to Los Angeles International Airport (LAX).
- b. Applicant is prohibited from picking up or discharging passengers in the Anaheim Disneyland and Grand Hotel area, which is bounded on the north by Lincoln Boulevard, on the south by Chapman Avenue, on the west by Brookhurst Avenue, and on the east by the Santa Ana River.

- c. On trips originating at LAX applicant will transport his passengers directly to his terminal in Santa Ana unless the passenger desires to be dropped off at some intermediate point between LAX and Santa Ana and within applicant's 10-mile radius for home pickup, in which case applicant may proceed directly to such destination on his way to Santa Ana.
3. Applicant 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 and timetables within 120 days after this order is effective.
 - c. State in his tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and 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.

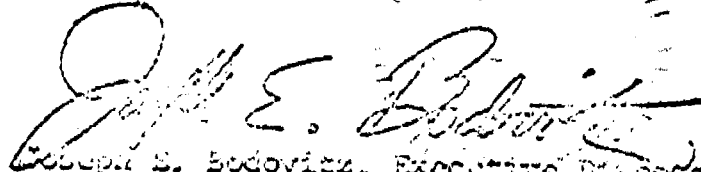
4. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by both this Commission and the airport authority involved.

This order is effective today.

Dated OCT 5 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director

T/emk

Appendix PSC-1315

JOSE R. GIMENEZ

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC - 1315

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 10 027, dated
OCT 5 - 1983, of the Public Utilities Commission of the
State of California in Application 83-03-78.

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Appendix PSC-1315

JOSE R. GIMENEZ

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Issued by California Public Utilities Commission.
Decision 83 10 027, Application 83-03-78.

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

Jose R. Gimenez, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and baggage between Santa Ana and Los Angeles International Airport (LAX) and between Santa Ana and San Ysidro 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. On-call, door-to-door service may be provided between the Santa Ana terminal and all points within a 10-mile radius of such terminal. The tariffs and timetables shall show the conditions under which this authorized on-call service will be rendered.
- d. Passengers originating at LAX shall be transported directly to the Santa Ana terminal, except passengers may be dropped off at some intermediate point within 10 miles of such terminal.
- e. For transportation on Route 1, no passenger shall be picked up or discharged within the Anaheim Disneyland and Grand Hotel area, bounded on the north by Lincoln Boulevard, on the south by Chapman Avenue, on the west by Brookhurst Avenue, and on the east by the Santa Ana River.

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Decision SS 10 027, Application 83-03-78.

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

f. No passenger shall be transported between LAX and:

Grand Hotel
#1 Hotel Way
Anaheim

Disneyland Hotel
1441 South West Street
Anaheim

Holiday Inn Plaza
7000 Beach Boulevard
Buena Park

Westin South Coast Plaza
666 Anton Boulevard
Costa Mesa

El Toro Marine Corps Air Station
El Toro

Laguna Hills Hyatt
23932 Paseo de Valencia
Laguna Hills

Bob's Big Boy Restaurant
28502 Marguerite Parkway
Mission Viejo

Newporter Inn
22781 Jamboree Road
Newport Beach

Holiday Inn
222 West Houston Avenue
Fullerton

Airporter Inn
18700 MacArthur Blvd.
Irvine

Registry Hotel
12800 MacArthur Blvd.
Irvine

John Wayne/Orange
County Airport
19051 Airport Way North
Irvine

Sheraton Newport
4545 MacArthur Blvd.
Newport Beach

Town & Country Plaza
777 South Main Street
Orange

Saddleback Inn
1660 East First Street
Santa Ana

- g. 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-1315

JOSE R. GIMENEZ

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SECTION 2. ROUTE DESCRIPTIONS.

Route 1. Santa Ana and LAX

Commencing at the Santa Ana terminal, Broadway and 3rd Streets, then over and along the most convenient route or routes to LAX.

Route 2. Santa Ana and San Ysidro

Commencing at the Santa Ana terminal, Broadway and 3rd Streets, then over and along the most convenient route or routes to San Ysidro.

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