

Decision No. 88745 APR 18 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of RUSSELL BEAUCHANE, doing)
business as AIRPORT TRANSPORTA-)
TION SERVICES, for certificate of)
public convenience and necessity)
to operate a passenger stage)
corporation and express baggage)
service between the City of)
Chico, the Cities of Marysville/)
Yuba City, and the City of Oro-)
ville, on the one hand, and the)
Sacramento Metropolitan Airport,)
in the County of Sacramento, on)
the other hand.)

Application No. 57701
(Filed November 23, 1977)
(Amended February 16, 1978)

O P I N I O N

Russell Beauchane, an individual, doing business as Airport Transportation Services, seeks authority from the Commission for a Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation to transport passengers and their baggage between the Cities of Chico, Oroville, Marysville and Yuba City, on the one hand, and the Sacramento Metropolitan Airport, on the other hand.

At the present time, transportation between the Cities of Chico, Oroville and Marysville/Yuba City and the Sacramento Metropolitan Airport is primarily by private automobile. The service proposed by the applicant would reduce congestion at the airport and afford a convenient, direct transportation service to and from the airport.

Applicant is now engaged in the operations as a charter-party carrier of passengers, under Charter-party Carrier Permit No. TCP-891-P.

Applicant has the financial ability to render the proposed service.

The application and the amendment (deleting a small portion of the original application providing for an automatic fare increase) were listed on the Commission's Daily Calendar on November 25, 1977.

and February 17, 1978, respectively. The Commission Transportation Division staff has reviewed the application and recommends that in the absence of protest or request for public hearing, it be granted by ex parte order. No protest or request for hearing has been received. A public hearing is not necessary.

Applicant is placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted to Russell Beauchane, an individual, doing business as Airport Transportation Services, authorizing him to operate as a Passenger Stage Corporation, as defined in Section 226 of the Public Utilities Code, over the routes, and subject to the conditions set forth in Appendix A of this decision.

2. In providing the service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if he accepts the certificate he will be required, among other things, to comply with the safety rules administered by the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-Series and the insurance requirements of the Commission's General Order No. 101-Series.

- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and file tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the authorized service.
- (d) The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79- and 98-Series.
- (e) Applicant shall maintain his accounting records on a calendar-year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

The effective date of this order is the date hereof, as the applicant has received numerous requests for the service and it would be in the public interest.

Dated at San Francisco, California, this 18th
day of APRIL, 1978.

Robert Bateman
President
William J. Quinn Jr.
Thomas L. Sturgeon
Clive J. DeBrie
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.

Russell Beauchane
dba
AIRPORT TRANSPORTATION
SERVICES

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
PSC-1036
TO OPERATE AS
A PASSENGER STAGE CORPORATION

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

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 No. 88745,
dated APR 18 1978, 1978, of the Public Utilities
Commission of the State of California, in Application No. 57701.

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AIRPORT TRANSPORTATION SERVICES

Section I. General Authorization, Restrictions, Limitations and Specifications.

Russell Beauchane, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage between the Cities of Chico, Oroville, Marysville and Yuba City, on the one hand, and the Sacramento Metropolitan Airport, on the other hand, over the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said route at any time.

Section II. Route Description.

Commencing at the Holiday Inn, 685 Manzanita Court, in the City of Chico, to California Highway 99, south on California Highway 99 to the intersection of California Highway 149, south on California Highway 149 to the intersection of California Highway 70, south on California Highway 70 to Motel 6, 505 Montgomery Street, in the City of Oroville, south on California Highway 70 to the City of Marysville, west on Highway 20, crossing the Feather River, right on Clark Avenue to Bonanza Inn, 1001 Clark Avenue, Yuba City; return via the same route in reverse to California Highway 70, thence continuing south on California Highway 70 to Interstate 5 North (Woodland turnoff), continuing south on Interstate 5 North to Airport Boulevard turnoff at the Sacramento Metropolitan Airport, thence returning over the same route, with adjustments for local traffic regulations, to the point of beginning.

Issued by California Public Utilities Commission.

By Decision No. 88745, Application No. 57701.