

AUG 22 1978

Decision No. 89276

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
 MANFRED L. LAZARUS, an individual, to)
 sell and transfer a certificate of)
 public convenience and necessity)
 authorizing his operation as a)
 passenger stage corporation, pursuant)
 to Section 1031 of the California)
 Public Utilities Code; and)
 SAN FRANCISCO VAN CORPORATION, dba)
 San Francisco Mini-Bus Company, a)
 California corporation, to acquire)
 and control the certificated passenger)
 stage corporation operations of)
 Manfred L. Lazarus.)

Application No. 57958
 (Filed March 29, 1978)

O P I N I O N

By this application, Manfred L. Lazarus, an individual, seeks authorization to transfer his operating authority to a California corporation, San Francisco Van Corporation, doing business as San Francisco Mini-Bus Company, with Manfred L. Lazarus receiving voting stock of the corporation representing a one-sixth ownership interest in the corporation. A total of 100 shares of stock have been issued by San Francisco Van Corporation with no par value.

The Certificate of Public Convenience and Necessity authorizing the applicant's present operations as a Passenger Stage Corporation (PSC-997) was granted by Decision No. 85962 in Application 56263, dated June 15, 1976, and amended by Decision No. 87449 in Application 57002, dated June 7, 1977.

Manfred L. Lazarus' annual insurance expired on July 1, 1978 and he has been forced to renew the insurance on a month-to-month basis pending the Commission's decision. This has resulted in large increases in his expenses.

A certified copy of the Articles of Incorporation in the name of the San Francisco Van Corporation was filed with Application 57958.

After consideration, the Commission finds that the proposed transfer would not be adverse to the public interest and concludes that it should be authorized. A public hearing is not necessary.

The order which follows will provide for the revocation of the certificate presently held by Manfred L. Lazarus and the issuance of a certificate to San Francisco Van Corporation, doing business as San Francisco Mini-Bus Company.

The proposed security issue is for proper purposes and the money, property, or labor to be procured or paid for by the issue of the security authorized by this decision is reasonably required for the purposes specified, which purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income.

In issuing this decision we place the issuer of the authorized stock and its shareholders on notice that we do not regard the number of shares outstanding, the total par value of the shares, nor the dividends paid, as measuring the return it should be allowed to earn on its investment in plant, and that this authorization is not to be construed as a finding of the value of the company's stock or property nor as indicative of amounts to be included in proceedings for the determination of just and reasonable rates.

The San Francisco Van Corporation is placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used 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. On or before September 15, 1978, Manfred L. Lazarus, an individual, may transfer the operative rights referred to in Application No. 57958 to the San Francisco Van Corporation, doing business as San Francisco Mini-Bus Company.

2. Within thirty days after the transfer, applicant shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of transfer. Applicant is placed on notice that if it accepts the certificate, it will be required, among other things, to comply with the insurance requirements of the Commission's General Order No. 101-C.

3. Applicant shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations transferred to show that it has adopted or established, as its own, the rates and rules. The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the transfer. The tariff and timetable filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79-Series and 98-Series. Failure to comply with the provisions of General Orders Nos. 79-Series and 98-Series may result in a cancellation of the operating authority granted by this decision.

4. On or before the end of the third month after the transfer, applicant shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the transferee for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. In the event the transfer authorized in Paragraph 1 is completed, effective concurrently with the effective date of the tariff filings required by Paragraph 3, a Certificate of Public Convenience and Necessity is granted to San Francisco Van Corporation, doing business as San Francisco Mini-Bus Company, authorizing it to operate as a Passenger Stage Corporation between the points and over the routes in Appendix A of this decision.

6. The Certificate of Public Convenience and Necessity granted by Decision No. 85962 in Application No. 56263 is revoked effective concurrently with the effective date of the tariff filings required by Paragraph 3.

7. Purchaser shall maintain its 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 its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

8. On or after the effective date of this order and on or before September 15, 1978, for the purposes specified in this proceeding, transferee may issue to applicant common stock representing one-sixth ownership interest in the corporation.

9. The issuer of the securities authorized by this order shall file with the Commission a report, or reports, as required by General Order No. 24-Series.

10. Because of the increased insurance expense pending Commission action on this application, the effective date of this order is the date hereof.

Dated at San Francisco, California this 27th day of AUGUST, 1978.

Robert Behrman
President

William J. Lyons, Jr.
Leslie L. Sturgeon

Commissioners

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

Commissioner Claire T. Dodrick, being necessarily absent, did not participate in the disposition of this proceeding.

DMY

Appendix A

San Francisco Van Corporation
DBA
SAN FRANCISCO MINI-BUS COMPANY

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE AS A PASSENGER STAGE CORPORATION

PSC 997

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. 89276, dated AUG 22 1978, of
the Public Utilities Commission of the State of California, in Application No. 57958.

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

San Francisco Van Corporation dba San Francisco

Mini-Bus Company, by Certificate of Public Convenience and Necessity

granted by the decision noted in the margin, is authorized as a passenger stage corporation to (1) transport passengers for sightseeing purposes, between hotels located in the Cities of Burlingame, San Bruno and South San Francisco, on the one hand, to points of interest in Sausalito, Muir Woods, and the Sonoma Winery area, on the other hand, over and along the routes hereinafter described; and (2) transport passengers and their baggage between various hotels located on the San Francisco Peninsula, on the one hand, and Union Square in San Francisco, on the other hand, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- (a) All sightseeing service herein authorized shall be limited to the transportation of round-trip passengers only, originating and terminating at specific hotel locations in San Mateo County.
- (b) Sightseeing service shall be operated on a scheduled basis but applicant will not be obligated to render service for less than six passengers.
- (c) Applicant shall not serve the San Francisco International Airport.
- (d) Union Square service shall be provided only between Union Square in San Francisco and the premises of the hotels listed in the route descriptions.
- (e) Applicant shall not operate vehicles with a carrying capacity of more than 14 passengers in providing the Union Square, San Francisco service.
- (f) Other than the transportation of personal baggage accompanying a passenger, no additional transportation service, including the transportation of express matter, shall be performed in the Union Square, San Francisco service.

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SECTION 2. ROUTE DESCRIPTIONS.

(1) Sightseeing Routes:

TOUR 1. Commencing at the Sheraton Inn - San Francisco Airport at 1177 Airport Boulevard, Burlingame; thence to Ramada Inn at 1250 Bayshore Highway, Burlingame; Burlingame Hyatt House at 1333 Bayshore Highway, Burlingame; Burlingame Hyatt House at 1333 Bayshore Highway, Burlingame; Airport Marina Hotel at 1380 Bayshore Highway, Burlingame; Hilton Hotel at the San Francisco Airport, Holiday Inn at 245 S. Airport Boulevard, South San Francisco; Travelodge at 326 S. Airport Boulevard, South San Francisco; Rodeway Inn at 380 S. Airport Boulevard, South San Francisco; thence via Highway 101 to Sausalito and via Highway 1 to Muir Woods, and return via the same route.

TOUR 2. Commencing at the same eight hotels in Tour 1; thence via Highways 101, 37, and 121 to the Sonoma winery area, within five miles of Sonoma, and return via the same route.

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

(2) Airport Hotels - San Francisco Union Square Routes:

ROUTE 1. Commencing at Rodeway Inn, 380 S. Airport Blvd., South San Francisco; thence via South Airport Blvd. to Travelodge, 326 S. Airport Blvd. in South San Francisco; continue on South Airport Blvd. to Royal Inn, 275 South Airport Blvd., South San Francisco; South Airport Blvd. to Holiday Inn, 245 South Airport Blvd., South San Francisco; South Airport Blvd. to Imperial Hotel, 222 South Airport Blvd., South San Francisco; Highways 101, and Interstate 280, Sixth Street, Taylor Street, and Post Street to Union Square in San Francisco.

Return via Post Street, Montgomery Street, New Montgomery Street, Howard Street, 4th Street, Brannan Street, 6th Street, Interstate 280, Highway 101 to Imperial Hotel, Holiday Inn, Royal Inn, Travelodge, and Rodeway Inn.

ROUTE 2. Commencing at Ramada Inn, 1250 Bayshore Blvd., Burlingame; thence via Bayshore Blvd. to Hyatt Hotel, 1333 Bayshore Blvd., Burlingame; continue on Bayshore Blvd. to Airport Marina, 1380 Bayshore Blvd., Burlingame; Bayshore Blvd. to Vagabond Motor Hotel, 1640 Bayshore Blvd., Burlingame; Millbrae Ave. and Bayshore Blvd. to Airport Plaza Hotel, 101 Bayshore Highway, Millbrae; Millbrae Ave., and Bayshore Blvd. to Hilton Inn, at the San Francisco International Airport, Highway 101, Interstate 280, Sixth Street, Taylor Street, and Post Street to Union Square in San Francisco.

Return via Post Street, Montgomery Street, New Montgomery Street, Howard Street, 4th Street, Brannan Street, 6th Street, Interstate 280, Highway 101 to Hilton Inn, Airport Plaza Hotel, Vagabond Hotel, Airport Marina, Hyatt Hotel and Ramada Inn.

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

ROUTE 3. Commencing at Howard Johnson Motor Hotel, Veterans Blvd. and Whipple Ave., Redwood City; thence via Highway 101 and Marine World Parkway to Holiday Inn, 1101 Shoreway Rd., Belmont; continue on Marine World Parkway, Ralston and El Camino to Villa Hotel, 4000 S. El Camino Real, San Mateo; El Camino and E. Hillsdale Blvd. to Hillsdale Inn, E. Hillsdale Blvd. and South Bayshore Blvd., San Mateo; E. Hillsdale Blvd., Highway 101, Highway 92, Delaware St., and Concar Drive to the Royal Coach Motor Hotel, 1770 S. Bayshore Blvd., San Mateo; Concar Drive, Delaware Ave., Highways 92, 101 and 280, 6th Street, Taylor Street, and Post Street to Union Square in San Francisco.

Return via Post Street, Montgomery Street, New Montgomery Street, Howard Street, 4th Street, Brannan Street, 6th Street, Interstate 280, Highway 101 to Royal Coach Motor Hotel, Hillsdale Inn, Villa Hotel, Holiday Inn, and Howard Johnson Motor Hotel.

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