

Decision No. 89421 SEP 19 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CLIFFORD A. COLLINS AND ARLENE K.)
JOHNSON dba CROWN AIRPORT COMMUTER,)
to transfer a Certificate of Public)
Convenience and Necessity, and)
METRO COMMUTER COMPANY, INC., to)
acquire, pursuant to Section 851,)
et seq., of the California Public)
Utilities Code.)

Application No. 58066
(Filed May 12, 1978)

O P I N I O N

By Decision No. 87312 in Application No. 57033, decision dated May 10, 1977, Clifford A. Collins and Arlene K. Johnson, a partnership doing business as Crown Airport Commuter, were issued a certificate of public convenience and necessity (PSC-908) for the transportation of passengers and their baggage between Glendale, Pasadena, and Arcadia, on the one hand, and Hollywood-Burbank Airport, on the other hand. This operating authority was enlarged by Decision No. 88331, dated January 10, 1978, whereby the authorized route became designated as Route 1.

By this application, Clifford A. Collins and Arlene K. Johnson, dba Crown Airport Commuter, hereinafter referred to as seller, requests authority to transfer the portion of their passenger stage certificate identified as Route 1 to Metro Commuter Company, Inc., a California corporation, hereinafter referred to as buyer.

The seller and buyer have entered into a written agreement on the terms and conditions for the transfer of the Route 1 portion of seller's certificate of public convenience and necessity. The parties have agreed that the purchase price will be the sum of eight thousand five hundred dollars (\$8,500.00).

The application was listed on the Commission's Daily Calendar of May 16, 1978. The Commission's Transportation Division staff has reviewed the application and recommends that in the absence of protest or request for public hearing, it should be granted by ex parte order. No protest or request for hearing has been received. A public hearing is not necessary.

The present certificate includes the transportation of unaccompanied baggage or express incidental to the transportation of passengers and limited to a weight of not more than 100 pounds per shipment (hereafter, express rights). The application did not request transfer of these express rights. Staff of the Transportation Division confirmed with counsel for applicants that the express rights were not sought by buyer. Said express rights will therefore be revoked concurrent with completion of the transfer.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and that it will not have a significant effect on the environment. The Commission concludes that the transfer should be authorized.

The order which follows will provide for, in the event the transfer is completed, the revision of the certificate presently held by Clifford A. Collins and Arlene K. Johnson, doing business as Crown Airport Commuter, and the issuance of a certificate in appendix form to Metro Commuter Company, Inc.

Buyer 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. On or before December 1, 1978, Clifford A. Collins and Arlene K. Johnson, doing business as Crown Airport Commuter, may sell and transfer the operative rights referred to in the application to the buyer Metro Commuter Company, Inc.

2. Within thirty days after the transfer the buyer shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of transfer.

3. Buyer 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 he has adopted or established, as his own, the rates and rules. 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 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. 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 Metro Commuter Company, Inc. authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes set forth in Appendix A, attached hereto and made a part hereof.

5. Effective concurrently with the effective date of the tariff filings required by paragraph 3, Appendix A of Decision 87312, as amended, is further amended by incorporating the following pages, attached hereto as follows: Second Revised Page 2, Second Revised Page 3, Second Revised Page 4, First Revised Page 5, and Second Revised Page 6, all in revision of First Revised Page 2, First Revised Page 3, First Revised Page 4, Original Page 5, and First Revised Page 6.

6. Buyer shall comply with the safety rules of the California Highway Patrol, the rules and regulations of the Commission's General Order No. 98-Series, and insurance requirements of the Commission's General Order No. 101-Series.

7. Buyer 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.

There is no known opposition and there is no reason to delay granting the relief requested.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 19th day of SEPTEMBER 1978.

William J. Sargent, Jr. President
Thomas L. Stimpert
Robert W. Howell
Clare J. DeBick Commissioners

Appendix A
(Dec. 87312)

Clifford A. Collins and
Arlene K. Johnson,
a co-partnership
dba
CROWN AIRPORT COMMUTER

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Appendix A
(Dec. 87312)

Clifford A. Collins and
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CROWN AIRPORT COMMUTER

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Cancels
First Revised Page 4

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

- (c) *
- (d) *
- (e) Only passengers on Route 2 with origin or destination at Holiday Inn in Glendale or the Safari Motor Hotel in Burbank, on the one hand, and Los Angeles International Airport, on the other hand, may be transported.
- (f) *
- (g) The service on Routes 3 and 4 shall be on-call, 6:00 a.m. through 1:00 a.m., seven days per week.
- (h) The service on Routes 3 and 4 shall be provided in luxury limousines with a seating capacity of one driver and seven passengers.
- (i) The service on Routes 3 and 4 shall be limited to transportation between the Los Angeles International Airport, on the one hand, and the Pacific Palisades and Palos Verdes Territories as described herein.

Issued by California Public Utilities Commission.

* Deleted by Decision No. 89421, Application No. 58066.

Appendix A
(Dec. 87312)

Clifford A. Collins and
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CROWN AIRPORT COMMUTER

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Original Page 5

SECTION 2. SERVICE AREA AND TERRITORY DESCRIPTIONS

*

Pacific Palisades Territory

Commencing at the intersection of Venice Boulevard and Pacific Avenue, Venice, California, thence northerly along Pacific Avenue, Ocean Avenue, Pacific Coast Highway (State Route 1); Topanga Canyon Boulevard (State Route 27) to the Ventura Freeway (State Route 101); thence easterly along the Ventura Freeway (State Route 101) to the San Diego Freeway (Interstate Route 405) thence southerly along said San Diego Freeway (Interstate Route 405) to Sunset Boulevard; thence easterly along Sunset Boulevard to Beverly Drive in Beverly Hills, California; thence south on Beverly Drive to Santa Monica Boulevard (State Route 2); thence westerly along Santa Monica Boulevard (State Route 2) to the San Diego Freeway (Interstate Route 405), continuing south along said San Diego Freeway to Venice Boulevard; thence west on Venice Boulevard to the point and place of beginning.

Palos Verdes Territory

Beginning at the intersection of Imperial Highway and the Pacific Ocean; thence east on Imperial Highway to the San Diego Freeway (Interstate Route 405); south along the San Diego Freeway (Interstate Route 405) to Compton Boulevard in the City of Lawndale, east on Compton Boulevard to Wilmington Avenue in the City of Compton, south on Wilmington Avenue to Artesia Boulevard (State Route 91), west on Artesia Boulevard (State Route 91) to Western Avenue in the City of Gardena; thence south on Western Avenue to its terminus with the Pacific Ocean.

Issued by California Public Utilities Commission.

* Deleted by Decision No. 89421, Application No. 58066.

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Appendix A
(Dec. 87312)

Clifford A. Collins and
Arlene K. Johnson,
a co-partnership
dba
CROWN AIRPORT COMMUTER

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First Revised Page 6

SECTION 3. ROUTE DESCRIPTIONS

*

Route 2 - Glendale, Burbank - LAX

Commencing from the Holiday Inn in Glendale, thence over the most appropriate streets and freeways to Safari Motor Hotel in Burbank and to the Los Angeles International Airport.

Route 3 - Pacific Palisades - LAX

Commencing from Pacific Palisades Territory, thence over the most appropriate streets and freeways to Los Angeles International Airport.

Route 4 - Palos Verdes - LAX

Commencing from the Palos Verdes Territory, thence over the most appropriate streets and freeways to Los Angeles International Airport.

Issued by California Public Utilities Commission.

*Deleted by Decision No. 89421, Application No. 58066.

Appendix A
(Dec. 87312)

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CROWN AIRPORT COMMUTER

Second Revised Page 3
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SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS
AND SPECIFICATIONS.

The certificate hereinafter noted supersedes all operative authority heretofore granted to Clifford A. Collins and Arlene K. Johnson, a co-partnership, doing business as Airport Limousine Service and Chauffeurs Unlimited, U.S.A., or their predecessors.

Clifford A. Collins and Arlene K. Johnson, a co-partnership, doing business as Crown Airport Commuter, by the Certificate of Public Convenience and Necessity amended by the decision noted in the margin, are authorized as a passenger stage corporation to transport passengers and their baggage between certain points in Glendale, Burbank, La Canada, Jet Propulsion Laboratory in Pasadena, Hollywood-Burbank Airport, and Pacific Palisades and Palos Verdes Territories, as hereinafter described, on the one hand, and Los Angeles International Airport, on the other hand, and between * , the Valley Hilton Hotel in Sherman Oaks, the Sportsmen's Lodge in Studio City, La Canada, and Jet Propulsion Laboratory in Pasadena, * , on the one hand, and Hollywood-Burbank Airport, on the other hand, over the routes hereinafter described and subject to the following provisions and restrictions:

- (a) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (b) Service on Route * 6 shall be limited to the transportation of passengers and their baggage who originate at or are destined to the Hollywood-Burbank Airport.

Issued by California Public Utilities Commission.

* Deleted by Decision No. 89421 Application No. 58066.

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Appendix A

METRO COMMUTER COMPANY, INC.

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

TO OPERATE AS
A PASSENGER STAGE CORPORATION

PSC-1053

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. 89421
dated SEP 19 1978, of the Public Utilities Commission of
the State of California, in Application No. 58066.

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

Metro Commuter Company, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to transport passengers and their baggage between Holiday Inn, Glendale and certain points within the Pasadena-Arcadia Service Area as hereinafter described, on the one hand, and Hollywood-Burbank Airport, on the other hand, over the route hereinafter described and subject to the following provisions and restrictions:

- (a) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (b) Service shall be limited to the transportation of passengers and their baggage who originate at or are destined to the Hollywood-Burbank Airport.
- (c) All passengers on Route 1 must be picked up or discharged at points within the authorized service area described herein, Holiday Inn of Glendale or at the Hollywood-Burbank Airport.

SECTION 2. SERVICE AREA AND TERRITORY DESCRIPTIONSPasadena-Arcadia Service Area

Commencing at the intersection of Foothill Boulevard and Myrtle Avenue; thence along Myrtle Avenue, Live Oak Avenue; Las Tunas Drive, Rosemead Boulevard, Huntington Drive, Fremont Avenue, Mission Street, Orange Grove Avenue, Orange Grove Boulevard, Lincoln Avenue, Washington Boulevard, Sierra Madre Boulevard, Santa Anita Avenue, Foothill Boulevard to point of beginning.

SECTION 3. ROUTE DESCRIPTIONPasadena-Arcadia Service Area, Glendale - Hollywood-Burbank Airport

Commencing at the Pasadena-Arcadia Service Area to Ventura Freeway 134 and over the most appropriate and convenient streets to Holiday Inn of Glendale, 450 Pioneer Drive, Glendale, continue over the most appropriate and convenient streets and return to Ventura Freeway 134, Golden State Freeway 5 and over and along the most direct or appropriate route or routes to the Hollywood-Burbank Airport subject, however, to local traffic regulations.

(END OF APPENDIX A)