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Decision No. 89728 DEC 12 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Q R INVESTMENT CORPORATION, doing)
business as NOVATO AIRPORTER, for)
certificate of public convenience)
and necessity to operate as a)
passenger stage corporation to trans-)
port passengers and their baggage)
between points in Marin County named)
herein and Oakland International)
Airport.)

Application No. 57458
(Filed July 19, 1977)

O P I N I O N

Applicant seeks a certificate to operate as a passenger stage corporation and to transport passengers and their baggage between Oakland International Airport, on the one hand, and points in Marin County, identified as Novato, Ignacio, Alameda Del Prado, Marinwood, Terra Linda, San Rafael, and Greenbrae, on the other hand.

The Commission staff completed an engineering survey and report which indicated that applicant's proposal was not feasible. Applicant amended its original proposal as suggested by the Commission staff and the latter recommended that the application be granted.

Applicant proposes to provide a scheduled service out of Novato at 6:00 a.m., 11:30 a.m., and 4:30 p.m., leaving Oakland International Airport at 8:00 a.m., 2:00 p.m., and 7:00 p.m. All schedules will stop in Marin County at Ignacio, Alameda Del Prado, Marinwood, Terra Linda, San Rafael, and Larkspur. No passengers will be picked up or deposited between Marin County and Oakland International Airport in either direction. Supplemental schedules may be added on two hours' notice, at the request of three or more passengers. Proposed one-way fares range from \$6 to \$9 depending on the distance to be transported and a \$30 monthly commute fare

is proposed. Service will be provided seven days a week with 11-passenger maxi-vans.

Applicant will use two Dodge vans to provide the proposed service. A third van will be provided as a standby vehicle if one is out for repairs. Applicant's balance sheet is brief and shows \$2,000 cash on hand, with a \$14,000 inventory and \$3,000 in shop equipment. Motor vehicles are valued at \$12,000. Two officers of applicant's corporation will do all the driving and all employees will be members of the same family.

It is alleged that several people who are employed at the Oakland International Airport and reside in Marin County have advised they will use the proposed service; and also that inquiries have been made by travel agents and airline representatives regarding when the service will be started.

The application was listed on the Commission's Daily Calendar and copies were furnished to all interested parties. There were no protests.

Findings

1. Applicant has the ability to provide the proposed service.
2. On April 13, 1978 applicant was authorized to transact intrastate business in California by the Secretary of State, under Sections 2105 and 2106 of the Corporation Code.
3. Public convenience and necessity require that applicant be authorized to provide the proposed service.
4. It can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment.
5. The application as modified should be granted.

Conclusions

1. Applicant is a foreign corporation authorized to transact intrastate business in California and meets requirements of Section 704 of the Public Utilities Code.
2. The Commission concludes that the application should be granted as set forth in the ensuing order.

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 (PSC-1057) is granted to Q R Investment Corporation, a corporation, 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 of this decision.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure to do so 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 it accepts the certificate it 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 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 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-Series and 98-Series.
- (e) Applicant 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.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 12th day of DECEMBER, 1978.

Robert Bateman
President
William S. Jones Jr.
Vernon B. Sturgeon
Robert C. Koval
Walter T. DeBrie
Commissioners

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Appendix A

Q R Investment Corporation
(a Washington corporation)
dba NOVATO AIRPORTER

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE
AS A PASSENGER STAGE CORPORATION
PSC-1057

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. 89728,
dated DEC 12 1978, of the Public Utilities
Commission of the State of California, in Application No. 57458.

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Appendix A

Q R Investment Corporation
(a Washington corporation)
dba NOVATO AIRPORTER

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Issued by California Public Utilities Commission.

Decision No. 89728, Application No. 57458.

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

Q R Investment Corporation, a corporation, dba Novato Airporter, 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 Novato, San Rafael and Larkspur, on the one hand, and the Oakland International Airport, on the other hand, over and along the routes hereinafter described, subject to the authority of this Commission to change or modify said 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) Only passengers with points of origin or destination in the above-named cities, in Marin County and point of destination or origin at Oakland International Airport shall be transported.
- (d) Service may be operated either by schedule or "on-call" or a combination thereof according to the demands of the passengers.

Issued by California Public Utilities Commission.

Decision No. 89728, Application No. 57458.

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

- (e) The term "on-call" as used herein refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.
- (f) The transportation of baggage or express shall be on passenger-carrying vehicles and shall be incidental to the transportation of passengers and limited to a weight of not more than one hundred (100) pounds per shipment.

SECTION 2. ROUTE DESCRIPTION.

Route 1. Beginning at the intersection of Grant Avenue and Redwood Highway in the City of Novato thence via the appropriate city streets to U.S. Highway 101, thence via U.S. Highway 101 to Sir Francis Drake Boulevard, thence via Sir Francis Drake Boulevard to State Sign Route 17 thence via State Sign Route 17 and the appropriate city streets to the Oakland International Airport.

Alternate
Route.

As an alternate route through the City of San Rafael may depart U.S. 101 at Lincoln Avenue, thence via Lincoln Avenue, Fourth Street, Irwin Street, Fifth Street and Heatherton Avenue to return to U.S. 101.

Issued by the California Public Utilities Commission.

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