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Decision No. S1614 . MAY 20 1980

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of San Francisco Air Tours for a )  
certificate of public convenience )  
and necessity to operate as a )  
passenger stage corporation )  
between Hotels in down town San )  
Francisco and Hayward Air Terminal )  
and San Carlos Airport. )

Application No. 59507  
(Filed March 10, 1980)

O P I N I O N

Yoshiko Suzuki, doing business as San Francisco Air Tours, requests, by this application, for a certificate of public convenience and necessity to operate as a passenger stage corporation between the hotels in San Francisco, on the one hand, and Hayward Air Terminal, Hayward, and San Carlos Airport, San Carlos, on the other hand.

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Applicant proposes to transport passengers on an "on-call" basis subject to at least 2 hours' notice at a proposed fare of \$10.00. She proposes to utilize vehicles that have a maximum seating capacity of 25 passengers.

The Commission staff received a letter from Hayward Air Terminal dated March 19, 1980 and from the County of San Mateo dated March 17, 1980. They stated that the applicant is required to comply with their airport regulations before permitting the proposed service on their property.

The application was listed on the Commission's Daily Calendar of March 12, 1980. Copies of the application were served on the County Clerk of the County of San Francisco, Hayward Air Terminal and San Carlos Airport. The Commission's Transportation Division staff has reviewed the application and recommends that in the absence of protests or requests for public hearing, it be granted by ex parte order. No protests or requests for hearing have been received.

The Commission finds that public convenience and necessity require that the passenger stage service proposed by the applicant be established. Applicant is placed on notice that the authorized service must comply with the airport regulations of Hayward Air Terminal and San Carlos Airport. *It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.* ~~We also find with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment.~~ SS

The Commission concludes that a public hearing is not necessary and the application should be granted.

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 Yoshiko Suzuki, doing business as San Francisco Air Tours, authorizing her to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and subject to the conditions set forth in Appendix "A" of this decision and subject to the airport regulations of Hayward Air Terminal and San Carlos Airport.

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

(a) Within thirty days after the effective date of this order, applicants shall file a written acceptance of the certificate granted. Applicant is placed ~~on~~ *on* notice that if she accepts the certificate, she will be required, among other things, to comply with the SS

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 as set forth in the Commission's General Orders Nos. 79-Series and 98-Series.
- (e) Applicant shall maintain her 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 her operations in such form, content and number of copies as the Commission, from time to time shall prescribe.

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

Dated     MAY 20 1980    , at San Francisco, California.

John E. Byron  
President  
Richard W. Howell  
Clair J. Sedell  
Commissioners

Appendix A

Yoshiko Suzuki  
doing business as  
SAN FRANCISCO AIR TOURS

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-1111

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

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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.

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Issued under authority of Decision No. 91814,  
dated MAY 20 1980, 1980, of the Public Utilities  
Commission of the State of California, in Application No. 59507.

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

Yoshiko Suzuki, an individual, doing business as San Francisco Air Tours, by the Certificate of Public Convenience and Necessity granted by the decision, noted in the margin, is authorized to operate as a passenger stage corporation for the transportation of passengers and their baggage between the hotels located in the City of San Francisco, on the one hand and Hayward Air Terminal, in the City of Hayward, and San Carlos Airport in the City of San Carlos, 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. When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- b. Vehicles utilized for this service shall be limited to a maximum 25-passenger seating capacity.
- c. Applicant shall provide the service on an "on-call" basis. 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.

Issued by California Public Utilities Commission.

Decision No. 91814 ; Application No. 59507.

SECTION II. ROUTE DESCRIPTIONS

Route No.

1 Hayward Air Terminal

Commencing from the various hotels located in the City of San Francisco, thence over the most appropriate streets to Highways 80 and 17 and continuing over and along the most appropriate streets in the City of Hayward to Hayward Air Terminal.

2 San Carlos Airport

Commencing from the various hotels located in the City of San Francisco, thence over the most appropriate streets to Highway 101 and continuing over and along the most appropriate streets in the City of San Carlos to San Carlos Airport.

Issued by California Public Utilities Commission.

Decision No. 91814, Application No. 59507.