

Decision No. 92047 : JUL 15 1980**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION
OF FLEETWOOD LIMOUSINE AND
AIRPORTER SERVICES AMENDED TO
READ NRS, INC. dba
COAST MANAGEMENT SERVICES,
a California Corporation, for
Authority to Transfer Certifi-
cates of Public Convenience and
Necessity to Operate a Passenger
Stage Corporation from DANIEL F.
STUART, doing business as
FLEETWOOD LIMOUSINE SERVICE

Application No. 59191
(Filed October 11, 1979)
(Amended May 1, 1980)

O P I N I O N

Daniel F. Stuart, doing business as Fleetwood Limousine Service (Fleetwood), presently owns and operates a passenger stage service (PSC-1004), as authorized by Decision Nos. 86120, 88355 and 89741 between various points in San Diego County and Lindbergh Field.

By this application Fleetwood requests authority to transfer its operating authority and related assets and liabilities to NRS, Inc., doing business as Coast Management Services, a California Corporation. Fleetwood alleges that the proposed transfer is not adverse to the public interest since the transfer involves only a change in the owner of the passenger stage service and does not involve any change in the present operations. Fleetwood further alleges that NRS, Inc. is adequately capitalized and financed.

The application was listed on the Commission's Daily Calendar of October 12, 1979 and the amendment on May 6, 1980. The Commission's 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.

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

The order which follows provides for the revocation of the certificate presently held by Daniel F. Stuart, doing business as Fleetwood Limousine Service and the issuance of a certificate in appendix form to NRS, Inc., doing business as Coast Management Services.

NRS, Inc. 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 September 5, 1980, Daniel F. Stuart, doing business as Fleetwood Limousine Service, may transfer his rights referred to in the application to NRS, Inc., doing business as Coast Management Services.
2. Within thirty days after the transfer NRS, Inc. 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. Daniel F. Stuart and NRS, Inc. shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations transferred and operations remaining to show that NRS, Inc. has adopted or established, as its 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 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 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 NRS, Inc., doing business as Coast Management Services, authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the County of San Diego and Lindbergh Field, over the route set forth in Appendix A, attached hereto and made a part hereof.

5. The Certificate of Public Convenience and Necessity granted by Decision Nos. 86120, 88355 and 89741 are revoked effective concurrently with the effective date of the tariff filings required by Paragraph 3.

6. NRS, Inc. shall comply with the safety rules of the California Highway Patrol, the rules and regulations of the Commission's General Order 98-Series, and insurance requirements of the Commission's General Order 101-Series.

7. NRS, Inc. 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.

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Since the business licenses and the lease on the facilities of Fleetwood are coming due and Daniel F. Stuart desires to have transfer made as soon as possible so that they can be issued in the name of NRS, Inc., the effective date of this order is the date hereof.

Dated JUL 15 1980, at San Francisco, California.

John E. Guyon
President

Vernon L. Sturgeon

Hubert R. Howell

Clare J. Daniels

Samuel W. Smith
Commissioners

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Appendix A

NRS, INC.
Doing Business As
COAST MANAGEMENT SERVICES

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE AS
A PASSENGER STAGE CORPORATION
PSC-1004

Showing passenger stage operative rights, restrictions, limitations, exceptions
and privileges 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. 92047
dated III 15 1980, of the Public Utilities Commission of
the State of California, in Application No. 59191.

NRS, INC.
Doing Business As
COAST MANAGEMENT SERVICES
(PSC - 1004)

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

NRS, Inc., doing business as Coast Management Services, 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 to transport passengers and their baggage between San Diego International Airport-Lindbergh Field, in San Diego, on the one hand, and the communities of Escondido, Vista, Fallbrook, San Marcos, Lake San Marcos, Penasquitos, Poway, Rancho Santa Fe, Miramar, Rancho Bernardo Service Territory, Oceanside, Carlsbad, Leucadia, Encinitas, Cardiff-By-The-Sea, Solana Beach, Del Mar and that certain area commonly referred to as Scripps Miramar Ranch located in the County of San Diego, on the other hand, over and along the most appropriate highways, roads, and streets, subject, however, to the authority of this Commission to change or modify the authority at any time and subject to the following provisions:

- (a) Service shall be operated on an "on-call" basis. The term "on-call", 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.
- (b) Special restrictions for service between San Diego International Airport, on the one hand, and Oceanside, Carlsbad, Leucadia, Encinitas, Cardiff-By-The-Sea, Solana Beach, Del Mar, and that certain area commonly referred to as Scripps Miramar Ranch located in the County of San Diego, on the other hand:
 - (1) Service is restricted to the transportation of passengers and their baggage in equipment not exceeding fifteen (15)

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

passengers capacity, including driver, and further restricted to passengers originating at or destined to the San Diego International Airport.

- (2) Passengers may not board or be discharged at any intermediate points.

SECTION 2. RANCHO BERNARDO SERVICE TERRITORY

Beginning at the intersection of Black Mountain Road and the city limits of San Diego, southwesterly along said city limits to a point due west of the intersection of Stone Canyon Road and Pomerado Road, southerly along Pomerado Road to Russ Lane, easterly along direct line to the intersection of Espola Road and Stone Canyon Road, northerly and westerly along Espola Road to Old Coach Road, northeasterly along Old Coach Road to a point due east of the intersection of Andrews Drive and Del Paso Drive, thence northwesterly along a direct line to the intersection of Highland Valley Road and the San Diego Aqueduct, thence due west to the city limits of San Diego, southerly along said limits to point of beginning.

(END OF APPENDIX A)

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