

Decision No. 92291 OCT 8 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 LAKE TAHOE TRANSPORTATION SYSTEMS, INC.,)
 a California corporation, dba LAKE TAHOE)
 TRANSPORTATION SYSTEMS, for a certificate)
 of public convenience and necessity to)
 operate a dial-a-ride transportation)
 service for passengers, property and)
 packages between the unincorporated areas)
 of El Dorado County, in the Lake Tahoe)
 Basin, and the City of South Lake Tahoe,)
 California.)

Application No. 59711
(Filed June 5, 1980)

O P I N I O N

Lake Tahoe Transportation Systems, Inc., a California corporation doing business as Lake Tahoe Transportation Systems (applicant) seeks a certificate of public convenience and necessity under Section 1031 of the Public Utilities Code for the operation of a dial-a-ride service for the transportation of passengers, property, and packages between unincorporated points in the Lake Tahoe Basin and the city of South Lake Tahoe over irregular routes which depend upon the origins and destinations of the passengers to be carried.

Exhibit A to the application sets forth the proposed fares, and Exhibit B sets forth the proposed time table. A map showing proposed routes is set forth in Exhibit C. Equipment to be operated is described in Exhibit D. A financial statement of applicant is set forth in Exhibit E.

Also attached to the application are:

1. A resolution adopted by the City Council of the city of South Lake Tahoe authorizing a certificate of public convenience and necessity to applicant for operations of a dial-a-ride and limousine service within the confines of that city.

2. A letter of support from the Tahoe-Douglas Chamber of Commerce.
3. A memorandum from the Airport Director of the Lake Tahoe Airport to the El Dorado County Counsel directing the preparation of an Airport Use Agreement for applicant with respect to bus, taxi, and limousine service from and to the Airport.
4. A letter of support from the Alliance of Business and Lodging Enterprises in Tahoe.
5. A letter of support from the South Lake Tahoe Chamber of Commerce.
6. A letter indicating that the Board of Supervisors of the county of El Dorado at a meeting held May 13, 1980, voted support of applicant's proposed services.

In support of the proposed service, the application recites the following:

- (a) A definite need exists in the unincorporated areas of the South Lake Tahoe Basin for a low-cost alternative to the private automobile. The city bus system provides transportation along fixed routes within the city for a 75 cents fare but alone is insufficient to satisfy the need of the residents of the unincorporated areas as the service ends at the city limits. In addition, it is approximately 10 miles to the far end of the unincorporated, residential area and the single occupancy taxi fare, the only other mode of transportation available, is far too expensive for the low and moderate income residents. Those residents who have used the existing taxi service, at times have had to wait as long as 2 to 3 hours to be picked up. The existing taxi company seems to concentrate its service in the casino core area of Stateline, Nevada and neglects the unincorporated areas of the county. As this company is the only one in the South Tahoe Basin the county residents are left with very poor service or no service at all.

- (b) Many expensive studies have been made by various agencies and they have all come to the same conclusion--additional transportation is greatly needed in the Lake Tahoe Basin.
- (c) The applicant's proposed dial-a-ride service would initially operate on a 10-hour day-time program. After a three- to four-month experimental period, applicant would explore the possibility of night time service.
- (d) The provision of dial-a-ride service would help satisfy many of the transportation goals and objectives established by the local government agencies, such as:
 - (1) Provide safe, efficient, economical, and convenient service to residents and visitors alike.
 - (2) Consider transportation needs of the elderly on low, fixed incomes.
 - (3) Develop a transportation system that will reduce dependence on the private automobile.
 - (4) Improve and extend service in the county to connect with the existing South Lake Tahoe city bus system.
 - (5) Design this transportation system for safety, comfort, and convenience of movement.

Copies of the application were served upon Grayline Scenic Tours (Grayline), doing business as California-Nevada Golden Tours, which operates a passenger stage service between Lake Tahoe Airport and South Lake Tahoe, and upon Stateline Taxi Company, and City of South Lake Tahoe Bus Lines. Notice of the filing of the application also appeared in the Commission's Daily Calendar.

A protest to the granting of the application filed by Grayline was withdrawn upon the reaching of a stipulation between Grayline and applicant that the proposed service be operated with busses that are 30 feet or less in length and which carry 26 passengers or less.

The application points out the city of South Lake Tahoe in granting its certificate to applicant, determined that applicant's system would not interfere with the bus system conducted by that city, but that applicant's operations would interface with the city's bus operations.

Findings of Fact

1. Public convenience and necessity require the proposed service.
2. The applicant has the ability, experience, equipment, and financial resources to perform the proposed service.
3. The proposed fares are reasonable.
4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. The application should be granted as set forth in the ensuing order.
2. Inasmuch as applicant desires to begin operations as quickly as possible, and as there is no known opposition to the proposed service, the effective date of this decision should be the date of issuance.

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 to such rights. Aside from their purely permissive aspects, 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 Lake Tahoe Transportation Systems, Inc., a California corporation doing business as Lake Tahoe Transportation System, authorizing it to operate as a passenger stage corporation as defined in Section 226 of the Public Utilities Code to transport passengers and their baggage 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 filing 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.

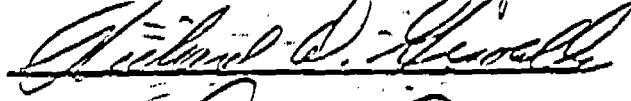
- (e) Applicant shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of its operation in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

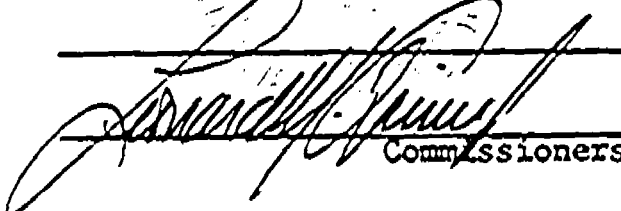
The effective date of this order is the date hereof.

Dated OCT 8 1980 , at San Francisco, California.



President






Commissioners

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

T/frc

Appendix A LAKE TAHOE TRANSPORTATION SYSTEMS, INC. Original
Doing Business As Title Page
LAKE TAHOE TRANSPORTATION SYSTEMS

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION

PSC- 1140

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. 92291
dated OCT 8 1980 of the Public Utilities Commission
of the State of California, in Application No. 59711.

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Appendix A LAKE TAHOE TRANSPORTATION SYSTEMS, INC. Original
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LAKE TAHOE TRANSPORTATION SYSTEMS

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

Lake Tahoe Transportation Systems, Inc., doing business as Lake Tahoe Transportation Systems, by the Certificate of Public Convenience and Necessity to operate as a passenger stage corporation granted in the decision noted in the margin, is authorized to transport passengers and their baggage and express shipments weighing less than one hundred (100) pounds per shipment incidental to the transportation of passengers in a "dial-a-ride" service between points and places within the South Lake Tahoe Basin Area as described herein, subject, however, to the authority of this Commission to change or modify said service area at any time and subject to the following provisions:

- (a) Service shall be rendered via a direct route from the point of origin to the point of destination of a passenger, except that when more than one passenger is to be transported in a single vehicle, service shall be rendered by the most direct routings possible, taking into consideration the various points of origin and destination of the several passengers.
- (b) Drivers shall have discretion in choosing routings and order of origins and destinations, based upon the above considerations.
- (c) 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.
- (d) Vehicles utilized for this service shall not exceed thirty (30) feet in length and shall have a passenger seating capacity of twenty six (26) passengers or less.

Issued by California Public Utilities Commission.

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Appendix A LAKE TAHOE TRANSPORTATION SYSTEMS, INC. Original
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SECTION 2- SERVICE AREA DESCRIPTION.

South Lake Tahoe Basin Area

This area is located in the El Dorado County that encompasses the incorporated city limit of South Lake Tahoe and all points and places located within one mile laterally from the following highways and roads commencing from the outer city limits of South Lake Tahoe:

Pioneer Trail terminating at the junction of Highway 50, Lake Tahoe Boulevard, Upper Truckee Road terminating at the junction of Highway 50, Highway 50 terminating at the junction of Highway 89, and Highway 89 terminating at the junction of Elf Lane located in the community of Christmas Valley.

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