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Decision No. 92421 NOV 18 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of Joy Nyquist, dba Travel With Joy Airport Van Service for Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation between points in San Bernardino County and the Ontario International Airport.

Application No. 59911  
(Filed August 28, 1980)

O P I N I O N

By this application, Joy Nyquist, (Applicant) doing business as Travel With Joy Airport Van Service, seeks authority to establish a passenger stage service between certain points in San Bernardino County, on the one hand, and the Ontario International Airport (ONT), on the other hand.

Applicant proposes to provide on-call 24-hour service between the homes of the passengers and ONT using passenger vans.

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The proposed one-way fares are as follows:

Between ONT and	One Way Fare
Colton	\$ 12.00
Fontana	\$ 12.00
Highland	\$ 12.00
Loma Linda	\$ 12.00
Rialto	\$ 12.00
San Bernardino	\$ 12.00

The applicant's balance sheet as of August 26, 1980, shows assets of \$47,000, liabilities of \$10,000, and a net worth of \$37,000.

Applicant currently operates a retail travel agency, and proposes to provide dependable and good quality transportation to and from ONT. Applicant alleges that at the present time there is no passenger stage service between the requested points and ONT. Applicant indicates it is ready to commence the service as soon as

authorized to begin operation.

Applicant contends that the proposed service will not have an adverse effect on the environment. Rather, the availability of this service would result in the reduction of private vehicles on the roads, which should conserve energy and lessen air pollution.

Applicant has served notice of the application on Omnitrans, Transportation Service Community Services Department, San Bernardino County Clerk, Transportation Department, Airline Taxi, Checker Cab/Yellow Cab, and the City Clerks of Rialto, Loma Linda, Colton, and Fontana. Notice of the application was listed on the Commission's Daily Calendar on September 5, 1980. No protests have been received. Public hearing is not necessary. ✓

In the absence of protests and given applicant's readiness to offer the proposed service, the order should be effective immediately.

#### Findings of Fact

1. Applicant possesses the ability and financial resources to perform the proposed service.
2. The proposed rates are reasonable and should be authorized.
3. There is a public need for this passenger stage service.
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.
5. A public hearing is not necessary.

#### Conclusion of Law

Applicant has demonstrated public convenience and necessity for the proposed service. The application should be granted.

Joy Nyquist, dba Travel With Joy Airport Van Service 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 Joy Nyquist, dba Travel With Joy Airport Van Service, authorizing her to transport passengers and their baggage only 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 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 she accepts the certificate, she 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) Applicant shall establish the authorized service and file tariffs and timetables, in triplicate, in the Commission's office on or before one hundred twenty days after the effective date of this order.
  - (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 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.

The effective date of this order is the date hereof.

Dated NOV 18 1980, at San Francisco, California.

John E. Byron  
President

Gregory L. Steiner

Richard D. Howell

Charles T. Sedwick

Lawrence J. Smith  
Commissioners

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Appendix A

JOY NYQUIST  
Doing Business As  
TRAVEL WITH JOY AIRPORT VAN SERVICE

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE AS  
A PASSENGER STAGE CORPORATION  
PSC-1141

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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. 92421,  
dated NOV 18 1980, of the Public Utilities Commission,  
of the State of California, in Application No. 59911.

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Appendix A

JOY NYQUIST  
Doing Business As  
TRAVEL WITH JOY AIRPORT VAN SERVICE  
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JOY NYQUIST  
Doing Business As  
TRAVEL WITH JOY AIRPORT VAN SERVICE  
PSC-1141

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

Joy Nyquist, dba Travel With Joy Airport Van Service, 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 only in either direction between Colton, Fontana, Highland, Loma Linda, Rialto, and San Bernardino, on the one hand, and Ontario International Airport (ONT), on the other hand, subject to the following provisions:

- (a) The service shall be door-to-door, on-call, 24 hours per day, seven days per week.
- (b) 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.
- (c) The service shall be provided in vehicles with seating capacity of fifteen passengers or less, including the driver.
- (d) Service shall be limited to the transportation of passengers who originate at or are destined to the Ontario International Airport.
- (e) When route descriptions are given in one direction, they apply to operations in either direction.
- (f) Service shall be rendered via a direct route from the point of origin to the point of destination, 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 or destinations of the several passengers.
- (g) Routes may be combined for operational purposes.

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Appendix A

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SECTION 2. SERVICE AREA DESCRIPTION

All points within the geographical limits of the cities of Colton, Fontana, Loma Linda, Rialto, San Bernardino and the community of Highland, on the one hand, and Ontario International Airport, on the other hand.

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Appendix A

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SECTION 3. ROUTE DESCRIPTION

Route 1 - Colton - ONT

Beginning at any point in the City of Colton, thence via the most direct and appropriate route to ONT.

Route 2 - Fontana - ONT

Beginning at any point in the City of Fontana, thence via the most direct and appropriate route to ONT.

Route 3 - Highland - ONT

Beginning at any point in the community of Highland, thence via the most direct and appropriate route to ONT.

Route 4 - Loma Linda - ONT

Beginning at any point in the City of Loma Linda, thence via the most direct and appropriate route to ONT.

Route 5 - Rialto - ONT

Beginning at any point in the City of Rialto, thence via the most direct and appropriate route to ONT.

Route 6 - San Bernardino - ONT

Beginning at any point in the City of San Bernardino, thence via the most direct and appropriate route to ONT.

(END OF APPENDIX A)

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