

ORIGINAL

Decision No. 92952 APR 21 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Luxe Livery Service, Inc., a)
California corporation, for)
authority to enlarge vehicular)
fleet from existing restriction)
imposed under Decision No. 89074.)

Application No. 59545
(Filed March 27, 1980;
amended July 3, 1980)

In the Matter of the Application)
of 24-Hour Airport Express, Inc.,)
a California corporation, for)
authority to enlarge vehicular)
fleet from existing restriction)
imposed under Decision No. 89074,)
and Petition for Consolidation)
with the Application of Luxe)
Livery Service, Inc., a California)
corporation, for like authority.)

Application No. 59614
(Filed April 23, 1980)

O P I N I O N

Description of Services

Luxe Livery Service, Inc. (Luxe), by a certificate of public convenience and necessity to operate as a passenger stage corporation (PSC-1044), is authorized to transport passengers in an on-call, door-to-door service between points in Orange County, on the one hand, and Orange County, Ontario, and Los Angeles International Airports and piers in Los Angeles Harbor, on the other hand, using 25 vehicles each with a carrying capacity not to exceed fifteen passengers.

24-Hour Airport Express, Inc. (24-Hour), by a certificate of public convenience and necessity to operate as a passenger stage corporation (PSC-1043), is authorized to transport passengers

in an on-call, door-to-door service between points in a described Los Angeles metropolitan service area, on the one hand, and Orange County, Ontario, Los Angeles International, Hollywood-Burbank, and Long Beach Airports, on the other hand, using 40 vehicles each with a carrying capacity not to exceed fifteen passengers.

Both certificates were authorized by Decision No. 89074, signed July 11, 1978. An exception concerning Los Angeles International Airport was added to the certificate of 24-Hour by Decision No. 90719, signed August 28, 1979.

Purpose of Applications

Luxe, by Application No. 59545 filed March 27, 1980, requests that the present limitation of 25 vehicles be increased by fifteen vehicles, thus raising the total to 40 vehicles. By an amendment to Application No. 59545 filed July 3, 1980, Luxe requests the removal of any limitation to the number of vehicles it may use.

24-Hour, by Application No. 59614 filed April 23, 1980, also requests the removal of any limitation to the number of vehicles it may use.

Discussion

Both Luxe and 24-Hour allege that since mid-1978, there has been a large increase in airport traffic and that each has had to increase its fleet of vehicles to the maximum number authorized in their respective certificates. Both allege they need more vehicles to transport the increased number of passengers.

In Decision No. 89074 we declared:

"Both applicants should be authorized to conduct the type of operation they seek as passenger

stage corporations subject to certain restrictions. 24-Hour and Luxe currently compete with each other in Orange County. Among the proposed staff restrictions on applicants' operations is the proposal to limit the number of vehicles each may be authorized to operate. Such a restriction would limit the amount of business either applicant could take away from each other in Orange County, or from other common carriers and agencies of transportation. Such a restriction would obviate the need to limit the proposed service area of either applicant. Both could serve Orange County. We feel, however, that the limitation should be 40 vehicles for 24-Hour to serve five airports, and 25 vehicles for Luxe to serve three airports and the docks and piers. These numbers of vehicles also should afford applicants a reasonable basis for adjustment and expansion. The maximum size of vans should be the same for each applicant."

In a decision issued today in Applications Nos. 59240 and 59329, we granted certificates to W.T.M. Enterprises, Inc. and Val J. Newton, dba Regal Airport Express, to provide passenger service between the points involved herein and found that all restrictions on the number of vehicles that may be operated by 24-Hour and Luxe should be deleted from their certificates.

Findings of Fact

1. Luxe since mid-1978 has been authorized to use not more than 25 vehicles to provide service as a passenger stage corporation.
2. 24-Hour since mid-1978 has been authorized to use not more than 40 vehicles to provide service as a passenger stage corporation.
3. Both Luxe and 24-Hour provide service as a passenger stage corporations between Orange County and various airports.
4. The airport passenger traffic has increased.
5. Both Luxe and 24-Hour need additional vehicles to meet the demands of the increased airport traffic.
6. A public hearing is not necessary.

Conclusion of Law

Public convenience and necessity require all limitations on the number of vehicles that may be operated by both Luxe and 24-Hour to be deleted.

O R D E R

1. The certificate issued to Luxe Livery Service, Inc in Appendix B of Decision No. 89074 is revised by incorporating First Revised Page 2, attached hereto, which cancels Original Page 2.

2. The certificate issued to 24-Hour Airport Express, Inc. in Appendix A of Decision No. 89074 is further revised by incorporating Second Revised Page 2, attached hereto, which cancels First Revised Page 2.

3. In all other respects Decisions Nos. 89074 and 90719 shall remain in full force and effect.

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

Dated APR 21 1981, at San Francisco, California.

John E. Guyon
President

Robert W. [unclear]

[unclear]

[unclear]

[unclear]
Commissioners

Appendix A 24-HOUR AIRPORT EXPRESS, INC.
(D89074 in A57765, A58314) (PSC-1043)
(D90719 in A57765, A58314)

Second Revised Page 2
Cancels
First Revised Page 2

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

24-Hour Airport Express, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to provide on-call, door-to-door service between Los Angeles International Airport (LAX), Orange County Airport (OCA), Hollywood-Burbank Airport (HNB), Long Beach Airport (LGB), and Ontario International Airport (ONT), on the one hand, and all points and places in the Los Angeles Metropolitan Service Area, on the other hand, subject to restrictions, as set forth below:

*(a) The equipment shall have a carrying capacity not to exceed 15 passengers.

(b) No passenger shall be picked up at an airport or at an off-airport bus stop of Airport Service, Inc., AirporTransit, Inc., or successor entities, unless a reservation has been made at least one-half hour in advance.

EXCEPTION: Passengers at airports completing round trips with 24-Hour Airport Express, Inc.

EXCEPTION: Passengers at Los Angeles International Airport who make a reservation through any direct telephone line at Los Angeles International Airport for which 24-Hour Airport Express, Inc. has received a permit from the Board of Airport Commissioners of the City of Los Angeles.

(c) 24-Hour Airport Express, Inc. shall not spot any vehicle at an airport or at an off-airport bus stop of Airport Service, Inc., or AirporTransit, Inc., or successor entities, for the purpose of waiting for radio calls to pick up passengers.

(d) No passengers shall be transported except those having origin or destination at one of the five airports identified above, on the one hand, and, on the other, an origin or destination within the Los Angeles Metropolitan Service Area.

Issued by California Public Utilities Commission

APR 21 1981

*Revised by Decision No. 92952, dated _____, Applications 59545, 59614.

Appendix B
(P. 39074 in
A. 37765, A. 37850)

LUXE LIVERY SERVICE, INC.
(PSC-1044)

First Revised Page 2
Cancels
Original Page 2

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

Luxe Livery Service, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to provide on-call, door-to-door service between all points and places within its Orange County Service Area, on the one hand, and Los Angeles International Airport (LAX), Orange County Airport (OCA), Ontario International Airport (ONT), and the docks and piers at Los Angeles and Long Beach harbors, on the other hand, subject to restrictions, as set forth below:

- (a) The equipment shall have a carrying capacity not to exceed 15 passengers.
- (b) No passengers shall be picked up at an airport or at an off-airport bus stop of Airport Service, Inc. unless a reservation has been made at least one-half hour in advance.
EXCEPTION: Passengers at airports completing round trips with Luxe Livery Service, Inc.
- (c) Luxe Livery Service, Inc. shall not spot any vehicle at an airport or at an off-airport bus stop of Airport Service, Inc., for the purpose of waiting for radio calls to pick up passengers.
- (d) No passengers shall be transported except those having origin or destination at LAX, OCA, ONT, or the docks and piers at the Los Angeles and Long Beach harbors, on the one hand, and on the other an origin or destination within the Orange County Service Area.
- (e) 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 and destinations of the several passengers.

Issued by California Public Utilities Commission.

*Added by Decision 92952, dated APR 21 1981,
Applications 59545 and 59614.