

ORIGINAL

Decision 93608 OCT 6 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of Luther R. Munoz for )  
certificate of public convenience )  
and necessity to operate )  
Passenger and Express service )  
between Ontario International )  
Airport and Grand Terrace, Loma )  
Linda, Redlands and Yucaipa. )

Application 60442  
(Filed April 13, 1981)

In the matter of the application )  
of Lawrence J. Ryan, dba Airport )  
Shuttle, for authority to operate )  
as a passenger stage company )  
between points in the cities of )  
Calimesa, Yucaipa and Redlands )  
to and from Ontario Airport. )

Application 60457  
(Filed April 15, 1981)

Luther R. Munoz, for himself, applicant.  
William Austin, for the Commission staff.

O P I N I O N

In Application (A.) 60442, Luther R. Munoz (Munoz) requests a certificate of public convenience and necessity to operate as a passenger stage corporation for the transportation of passengers and their baggage between the Cities of Yucaipa, Redlands, Loma Linda, and Grand Terrace, on the one hand, and the Ontario International Airport (Ontario Airport), on the other hand.

Daily service would be provided on the following schedule:

Leave	Yucaipa	5:00 a.m.	12:00 p.m.
Leave	Redlands	5:30 a.m.	12:30 p.m.
Leave	Loma Linda	6:00 a.m.	1:00 p.m.
Leave	Grand Terrace	6:30 a.m.	1:30 p.m.
Arrive	Ontario Airport	7:00 a.m.	2:00 p.m.
Leave	Ontario Airport	2:30 p.m.	6:00 p.m.
Arrive	Grand Terrace	3:00 p.m.	6:30 p.m.
Arrive	Loma Linda	3:30 p.m.	7:00 p.m.
Arrive	Redlands	4:00 p.m.	7:30 p.m.
Arrive	Yucaipa	4:30 p.m.	8:00 p.m.

The one-way fare to and from Ontario Airport for persons five years of age and over is proposed as follows:

Yucaipa	\$13.00
Redlands	\$10.00
Loma Linda	\$ 9.00
Grand Terrace	\$ 8.00

Service will be provided in an eight-passenger 1974 Ford Torino station-wagon until traffic warrants the purchase of a new van. The financial information contained in the application shows assets of \$93,384, liabilities of \$48,358 - for a net worth of \$45,026.

Notice of the application was served on all interested parties and listed in the Commission's Daily Calendar of April 15, 1981.

On April 15, 1981, Lawrence J. Ryan (Ryan), dba Airport Shuttle, filed A.60457 requesting a certificate of public convenience and necessity to operate as a passenger stage corporation for the transportation of passengers and their baggage between certain points in Calimesa, Yucaipa, and Redlands, on the one hand, and Ontario Airport, on the other hand. The application states Ryan presently operates Friendly Cab Co. in the Calimesa, Yucaipa, Redlands, and Loma Linda areas and the Greyhound Agency in Redlands. Service would be provided in a 12-passenger 1980 Chevrolet van. The van would be serviced under a maintenance program covering Ryan's taxicabs. The vehicle would be garaged at

A.60442, 60457 ALJ/km/nb \*

Ryan's home. The application states that the only other modes of transportation now available are private automobiles or taxi service. The application shows assets of \$35,361 and no liabilities. Daily service would be provided as follows:

TO ONTARIO AIRPORT

Calimesa	6:00 am	Yucaipa	6:15 am	Redlands	6:30 am	Ontario	7:00 am
Calimesa	11:00 am	Yucaipa	11:15 am	Redlands	11:30 am	Ontario	12:00 pm
Calimesa	4:00 pm	Yucaipa	4:15 pm	Redlands	4:30 pm	Ontario	5:00 pm
Calimesa	8:00 pm	Yucaipa	8:15 pm	Redlands	8:30 pm	Ontario	9:00 pm

FROM ONTARIO AIRPORT

Ontario	7:30 am	Redlands	8:00 am	Yucaipa	8:15 am	Calimesa	8:30 am
Ontario	11:30 pm	Redlands	1:00 pm	Yucaipa	1:15 pm	Calimesa	1:30 pm
Ontario	5:30 pm	Redlands	6:00 pm	Yucaipa	6:15 pm	Calimesa	6:30 pm
Ontario	9:30 pm	Redlands	10:00 pm	Yucaipa	10:15 pm	Calimesa	10:30 pm

Fares from all points would be \$10 for persons 12 and older, \$5 for children five to 11, and children four and under free. ✓

Notice of the application was served to all interested parties and was listed in the Commission's Daily Calendar of April 21, 1981.

Because the authority sought in the applications was almost identical, it was anticipated that a protest would be filed by each applicant. The matters were then consolidated for hearing on a common record. Hearing was held July 16, 1981, at Los Angeles before Administrative Law Judge Banks.

On July 15, 1981, Ryan notified the Commission's Los Angeles Passenger Section that he intended to withdraw his application and did not appear at the July 16, 1981 hearing. A.60442 was submitted on July 16, 1981.

Munoz testified at the hearing that he has been employed since 1970 by the United States Department of Agriculture as a Food Program Specialist and that he graduated from City College of New York

in Business Administration. He stated that he worked as a taxicab driver in New York, and in 1973 established a van service transporting passengers to and from La Guardia and Kennedy Airports. Driving responsibilities are to be shared with Munoz's wife, who is an experienced driver, until circumstances warrant hiring additional help. He stated that many local residents had informed him that the only airport service now available is by taxicab and that the one-way fare is approximately \$25. He stated that this high taxi fare discourages passengers from using public transportation but believed his fares would attract customers. The proposed fares are possible because of the low operating expense and because most maintenance will be performed by Munoz himself. Munoz projects an operating loss of \$130 for the first six months' operation, but expects business to grow and show a small profit at the end of the first year. He stated he has arranged for liability insurance through a local broker which will be operative as soon as his operating authority is received.

From the evidence and testimony, we believe the proposed service responds to public convenience and necessity. There is presently only taxicab service between Yucaipa, Redlands, Loma Linda, and Grand Terrace and Ontario Airport. Munoz's proposal will provide a much needed service to these communities.

There are no protests to A.60442 and there is no known opposition to the proposed service.

Findings of Fact

1. By A.60442, Munoz requests a certificate of public convenience and necessity to operate as a passenger stage corporation for the transportation of passengers and their baggage between Yucaipa, Redlands, Loma Linda, and Grand Terrace, and Ontario Airport.

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2. By A.60457, Ryan requests a certificate of public convenience and necessity to operate as a passenger stage corporation to provide transportation for passengers and their baggage between points in Calimesa, Yucaipa, and Redlands, and Ontario Airport.

3. Transportation to Ontario Airport from the cities listed in the applications is now provided by private automobiles or taxicab.

4. Taxicab fare from the cities proposed to be served to Ontario Airport is approximately \$25.

5. The applications were consolidated for hearing because of the similarity in the requested service.

6. Ryan did not appear at the hearing.

7. Munoz possesses the management ability and financial resources to perform the proposed service.

8. There is a public need for Munoz's proposed service.

9. Public convenience and necessity require that Munoz's proposed service be certificated.

10. There is no known opposition to the proposed service.

11. There are no protests to the applications.

12. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

13. A.60457 should be dismissed for lack of prosecution.

14. In order that Munoz may immediately institute the new service for which there is a public need, and because there is no opposition, the order should become effective immediately.

Conclusions of Law

1. The Commission concluded that A.60442 should be granted as set forth in the ensuing order.

2. A.60457 should be dismissed.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Luther R. Munoz authorizing him to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in Appendix A, to transport persons and their baggage.

2. Applicant shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. State in his tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.

- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- 3. A.60457 is dismissed.

This order is effective today.

Dated October 6, 1981, at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. GRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. GREW  
Commissioners

*I certify that this decision was approved by the above Commissioners today.*

*Joseph E. Bryson*  


T/am/nb

Appendix A

LUTHER R. MUNOZ  
an individual

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION

PSC-1182

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

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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 93608, dated OCT 6 1981  
of the Public Utilities Commission of the State of California in  
Application 60442.



T/am/nb

Appendix A

LUTHER R. MUNOZ  
an individual  
(PSC-1182)

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Issued by California Public Utilities Commission.

Decision 93608, Application 60442.

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

Luther R. Munoz, 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 provide on-call, door-to-door airport shuttle transportation between that portion of the unincorporated territory of Yucaipa described in Section 2 of this Appendix A and the Cities of Redlands, Loma Linda, and Grand Terrace, on the one hand, and the Ontario International Airport (ONT), on the other hand, over and along the routes described, subject, however, to the authority of this Commission to change or modify these routes at anytime and subject to the following conditions:

- (a) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) All service authorized shall be limited to the transportation of passengers with origin or destination at ONT.
- (d) 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.

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Decision 93608, Application 60442.

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

- (e) Routes may be combined for operational purposes.
- (f) The term "on-call" as used 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.
- (g) The service shall be door-to-door, on-call, 24 hours per day, 7 days per week.
- (h) All service will be provided in accordance with the rules promulgated by the Public Utilities Commission of the State of California for the operation of passenger stage service and otherwise with the rules specified in the carrier's tariff to be filed with the Commission.

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Decision 93608, Application 60442.

SECTION 2. SERVICE AREA DESCRIPTIONS.

YUCAIPA TERRITORY

Beginning at the intersection of Glen Oak Road and Pendleton Avenue, thence south on Pendleton Road and Freemont Street to Bella Vista Drive, east on Bella Vista Drive to Holmes Street, south on Holmes Street to Avenue "F", east on Avenue "F" to Jefferson Street, south on Jefferson Street and Grant Street to Avenue "H", east on Avenue "H" to Holmes Street, south on Holmes Street to County Line Avenue, north on County Line Avenue to Freemont Street, south on Freemont Street to Avenue "L", west on Avenue "L" to Calimesa Boulevard, northwest on Calimesa Boulevard to Live Oak Canyon Road Avenue, south on Live Oak Canyon Road Avenue to Dunlop Boulevard, northwest on Dunlop Boulevard to Sixteenth Street, north on Sixteenth Street to Yucaipa Boulevard, east on Yucaipa Boulevard to Oak Glen Road, thence northeast and east on Glen Oak Road to point of beginning.

REDLANDS-LOMA LINDA-GRAND TERRACE

All points within the geographical limits of the Cities of Redlands, Loma Linda, and Grand Terrace.

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Decision 93606, Application 60442.

T/am/nb

Appendix A

LUTHER R. MUNOZ  
an individual  
(PSC-1182)

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SECTION 3. ROUTE DESCRIPTIONS.

Commencing at any point within that portion of the unincorporated territory of Yucaipa described in Section 2 of this Appendix A, and all points within the geographical limits of the Cities of Redlands, Loma Linda, and Grand Terrace, thence over and along the most appropriate streets and highways to Interstate Highway 10 (I-10), west on I-10 to Archibald Avenue, thence south on Archibald Avenue to ONT and return.

Issued by California Public Utilities Commission.

Decision 93008, Application 60442.