

Decision 93698 NOV 3 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Gerald A. Sears, dba Airport Express of Stockton for authority to operate as a passenger stage corporation between points in Stanislaus, Alameda and San Joaquin Counties and the San Francisco International Airport.

Application 60596  
(Filed May 28, 1981;  
amended August 4, August 7,  
and September 2, 1981)

O P I N I O N

By the above application, Gerald A. Sears, doing business as Airport Express of Stockton, requests authority to operate as a passenger stage corporation for the transportation of passengers between Modesto and San Francisco International Airport (SFO) with an intermediate stop at the intersection of Interstate Highway 5 and Interstate Highway 205.

The amendment filed August 4, 1981 eliminated the above intermediate point and added Livermore and Dublin.

The amendment filed August 7, 1981 provided information not included in the previous filings.

The amendment filed September 2, 1981 changed the name of applicant from Gerald A. Sears, doing business as Airport Express of Stockton, to Airport Express of Modesto, Inc. (applicant).

Applicant proposes to begin operations with six round-trips per day, six days per week between Modesto and SFO. At a later date the service will be expanded to eight round-trips per day, six days per week.

The proposed adult fares are to be \$20 one way between Modesto and SFO, \$15 one way between Livermore and SFO, and \$10 one way between Dublin and SFO. Children will be transported at

one half the adult fare. A standby fare of one half the above fares will be offered.

Service will be provided by four 15-passenger vans. A pro forma balance sheet attached to the application indicated a net worth of \$50,000.

Applicant alleges that there is no passenger stage service between Modesto and SFO and that this service will benefit those persons who do not wish to pay for a commuter airplane flight or drive their own private car but still require dependable ground transportation to SFO.

We note that Golden Gate Airlines ceased all operations on August 28, 1981. At that time, that airline was the only airline serving Modesto.

Notice of the filing of the application was published in the Commission's Daily Calendar on May 29, 1981. Copies of the application and amendments were served on the Clerks of the Counties of Stanislaus, San Joaquin, Alameda, and San Mateo, as well as the Cities of Modesto and San Bruno. The California Department of Transportation, Metropolitan Transportation Commission, Greyhound Lines, SFO Airporter, and Airport Passengers, Inc. were also notified. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant has the necessary equipment, ability, and financial resources to perform the proposed service.
2. There is need for applicant's proposed service.
3. There is no known opposition to the proposed service.
4. Public convenience and necessity require that the service proposed by applicant be certificated.
5. The curtailment of air service by Golden Gate Airlines to and from Modesto requires that the effective date of this order should be the date of signature.
6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion of Law

The application should be granted.

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 (PSC-1185) is granted to Airport Express of Modesto, Inc. authorizing it to operate as a passenger stage corporation, as defined in Public Utilities Code Section Section 226, between the points and over the route 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 its 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.

This order is effective today.

Dated NOV 3 1981, at San Francisco, California.

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

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

*John E. Bryson*

T/vvb

Appendix A AIRPORT EXPRESS OF MODESTO, INC. Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC - 1185

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.

Issued under authority of Decision 93698, dated NOV 3 1961,  
of the Public Utilities Commission of the State of California, in  
Application 60596.

Appendix A AIRPORT EXPRESS OF MODESTO, INC. Original Page 1  
(PSC-1185)

INDEX

	<u>Page</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS . . . . .	2
SECTION 2. ROUTE DESCRIPTIONS	
<u>Route</u> <u>Route Name</u>	
1 Modesto - San Francisco Interna- tional Airport . . . . .	3

Issued by California Public Utilities Commission.  
Decision 93698, in Application 60596.

Appendix A AIRPORT EXPRESS OF MODESTO, INC. Original Page 2  
(PSC-1185)

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

Airport Express of Modesto, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage, between Modesto, Livermore, and Dublin, on the one hand, and San Francisco International Airport, over and along the routes described, subject, however, to the authority of this Commission to change or modify the routes at any time and subject to the following provisions:

- 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. No service shall be provided to or between intermediate points.
- d. No passengers shall be transported except those having point of origin or destination at San Francisco International Airport.

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SECTION 2. ROUTE DESCRIPTIONS.

Route 1. Modesto to San Francisco International Airport

Beginning at the Holiday Inn at 1612 Sisk Road in the City of Modesto, then via Sisk Road, Standiford Road, State Highway 99, State Highway 120, Interstate Highway 205, Interstate Highway 580, First Street (City of Livermore), Bluebell Drive, and Los Flores Road to the Holiday Inn; then via Los Flores Road, Bluebell Drive, First Street, Interstate Highway 580, Foothill Road, Dublin Boulevard, and Regional Street to the Howard Johnson Motel at 6680 Regional Street; then via Regional Street, Dublin Boulevard, Foothill Road, Interstate Highway 580, State Highway 238, State Highway 92, and U.S. Highway 101 to San Francisco International Airport.

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