

ORIGINAL

Decision 93718 NOV 3 1981

TD-29

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Merv Evans, dba Mid-Cities Airport)
Express, for certificate of public)
convenience and necessity to operate)
as a passenger stage corporation)
between Los Angeles International)
Airport and the City of Commerce,)
City of Montebello.)

Application 60662
(Filed June 18, 1981)

O P I N I O N

Applicant has applied for authority to provide a daily passenger bus service between Los Angeles International Airport and the Holiday Inn in the City of Montebello and Hyatt Hotel in the City of Commerce.

Applicant will provide service every day, driving a 1982 15-passenger Ford Club Wagon. The first pickup will leave the Holiday Inn at 4:55 a.m. and the Hyatt Hotel at 5:05 a.m. arriving at the airport at 5:55 a.m. and departing at 6:00 a.m. Seven round trips are proposed, with the last schedule out at 4:55 p.m., arriving at the airport at 6:05 p.m. It is alleged that the City of Commerce is 30 miles from the Los Angeles International Airport. The proposed one-way adult and child (ages 5 to 12) fares are \$8.50 and \$4.25. There are reduced fares for students, military, and seniors. The blind and children under five will be transported free.

It is alleged that applicant is a Los Angeles taxicab driver with metered bookings exceeding \$850 per week. Applicant's financial statement lists \$8,500 cash on hand and \$25,000 office equipment. Applicant does not have his bus yet. He has no outstanding debts according to the statement.

Applicant states there is presently no airport service near the two motels he has applied to serve. A letter in the file notes that the Los Angeles Rapid Transit District does not provide the service. The City of Montebello wrote to express its support of the application. The letter from the City of Commerce reveals a need for additional service out of Commerce to other cities or places in the county. A letter from the Holiday Inn supports service to the airport without recommending a particular operator.

A protest was filed by 24-Hour Airport Express, Inc. on July 16, 1981. Both parties have applied to serve the same area; however, applicant has proposed a limited service to two motels with one bus. Protestant's operation is much more extensive and would not be significantly affected by the authority to be granted applicant. There were no other protests, and letters in the file indicate that no other carrier is providing the proposed service.

Findings of Fact

1. Public convenience and necessity require the grant of a certificate to authorize applicant to establish passenger stage operations between the points and over the routes as set forth in Appendix A.

2. Applicant has the necessary financial ability, equipment, and personnel to initiate and maintain the proposed service.

3. Applicant will serve a substantially different transportation market than protestant.

4. The proposed fares are reasonable.

5. 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 Commission concludes that the application should be granted. A public hearing is not necessary.

2. The grant of authority to applicant has been delayed by the filing of a protest. Any additional delay may cause further financial loss. This order should therefore be effective on the date signed.

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 Merv Evans, authorizing him to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix A, to transport persons, baggage, and/or express.

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.

This order is effective today.

Dated NOV 3 1981, at San Francisco, California.

JOHN F. 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.

Joseph E. Bodin
JS

T/EI/VDL/WPSC /ALJ/ks

Appendix A

MERV EVANS
DOING BUSINESS AS
MID-CITIES AIRPORT EXPRESS

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

(PSC-1192)

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

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 **93718**
dated NOV 5 1981, of the Public Utilities Commission
of the State of California, in Application 60662.

MERV EVANS
DOING BUSINESS AS
MID-CITIES AIRPORT EXPRESS
(PSC-1192)

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

Merv Evans, doing business as Mid-Cities Airport Express, by the certificate of public convenience and necessity to operate as a passenger stage corporation granted by the decision noted in the margin, is authorized to transport persons, baggage, and/or express between the Holiday Inn in the City of Montebello and the Hyatt Hotel in the City of Commerce, on the one hand, and Los Angeles International Airport, on the other hand, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. All transportation of passengers shall be on a daily basis and originate at the pickup points specified, on the one hand, and shall be destined to the Los Angeles International Airport, on the other hand, or the reverse.
- b. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- c. Express shall be transported in passenger-carrying vehicles only, and limited to a weight of not more than 100 pounds per shipment.

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Appendix A

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(PSC-1192)

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SECTION II. ROUTE DESCRIPTIONS.

Commencing at the Holiday Inn in the City of Montebello;
then to the Hyatt Hotel in the City of Commerce using the most
appropriate streets; then to Los Angeles International Airport over
the most appropriate route.

(END OF APPENDIX A)

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