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Decision 95-07-010 July 6, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

For the Purpose of application of)
 Robert John Hilton dba Desert Valley)
 Shuttle for authority to operate as)
 passenger stage between certain)
 points Coachella Valley on one hand,)
 and Ontario Airport, John Wayne)
 Airport, Hotels in the Los Angeles)
 Airport area (Zip Code 90045) and LAX)
 (Los Angeles International Airport))
 on the other hand;)

Application 94-09-044

ORIGINAL

OPINION

Applicant proposes to perform an on-call, door-to-door passenger stage service, seven days per week. He will use three new seven-passenger vans. A minimum of six hours of advance notification will be required to guarantee pick up, except on major holidays when a minimum of 24 hours notice will be required. Patrons will be individuals, tourists, travellers, etc. who need transportation between the airports, et al, and cities in the Coachella Valley including but not limited to the City of Palm Springs. Applicant maintains that competition in the business of transporting people would result in good quality service with lower rates, which would be a benefit to the public.

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A balance sheet dated July 30, 1994, submitted with the application indicated total assets of \$128,000 and current liabilities of \$20,000.

Copies of the application were forwarded to members of the California Transit Association located in the proposed service area; the airports were also served. City and county governmental entities were notified in accordance with Rule 21(k) of the Commission's Rules of Practice and Procedure. Notice of the filing of the application appeared in the Commission's Daily Calendar on September 29, 1994.

Applicant possesses charter-party authority (TCP-8661-P). The Commission's records indicate that applicant's TCP authority has been suspended twice for extended periods of time and revoked once for failure to have evidence of insurance on file as required by General Order (GO) Series 101. Specifically, applicant was granted TCP authority on December 28, 1993, suspended for insurance on February 23, 1994, revoked for insurance on May 24, 1994, reinstated from revocation on November 4, 1994, suspended again for insurance on November 22, 1994, and reinstated from suspension on February 17, 1995. Applicant has had evidence of insurance on file continuously since February 17, 1995. We will grant the application with a caution that the applicant must have evidence of insurance on file as required by GO Series 101.

No protests have been filed. Applicant has the ability and financial resources necessary to provide the proposed service. In the circumstances, the application should be granted.

Findings of Fact

1. Applicant seeks authority to operate an on-call, door-to-door, passenger stage service between airports and points in the Coachella Valley. Applicant maintains that competition in the Springs area is limited to a few operators. Applicant's proposed service would result in a more frequent and lower cost service with lower rates, which would be a benefit to the public.

2. Applicant has the ability and financial resources to provide the proposed service.

There have been no protests to the application.

Conclusions of Law

The application should be granted.

2. Since there has been no protest to the application, the effective date of this decision should be today.

California Highway Patrol has approved the use of applicant's evidence of insurance is on the Commission and that the Executive Director will issue a notice to applicant that the

IT IS ORDERED that:

A certificate of public convenience and necessity is granted to Robert John Hilton (applicant) authorizing him to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, between the points and over the routes set forth in Appendix PSC-8661, 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 GO Series 101, 104, and 158, and the California Highway Patrol safety rules.

e. Maintain accounting records in conformity with the Uniform System of Accounts.

f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

Handwritten signature and initials

3. Before beginning service to any airport, applicant shall notify the airport's governing body. Applicant shall not operate into or on airport property unless such operations are also authorized by the airport's governing body.

4. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that its evidence of insurance is on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

5. Applicant shall comply with PU Code SS 460.7 and 1043, relating to the Workers' Compensation laws of this state. The application is granted as set forth above. This order is effective today. Dated July 6, 1995, at San Francisco, California.

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
Commissioners

CERTIFY
I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY

Wesley Frank...
Acting Executive Director

- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- d. Comply with GO Series 101, 102, and 103 and the California Highway Patrol safety rules.

T/MBB/ebi

Appendix PSC-8661

Robert John Hilton

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-8661

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 95-07-010, dated
July 6, 1995 of the Public Utilities Commission of the
State of California in Application 94-09-044.

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

Robert John Hilton, 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 to transport passengers and their baggage between points in the Coachella Valley (Riverside County), described in Section 2, on the one hand, and Ontario Airport (ONT), John Wayne Airport (SNA), Los Angeles International Airport (LAX), and Hotels in the LAX area (Zip Code 90045), on the other hand, over and along the routes described in Section 3, subject, however, to the authority of this Commission to change or modify the routes at any time and subject to the following provisions:

- (a) This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.
- (b) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (c) No passengers shall be transported except those having a point of origin or destination at ONT, SNA, LAX, or Hotels in LAX area (Zip Code 90045).
- (d) The term "on-call" as used refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs shall show the conditions under which each authorized on-call service will be provided, and shall include the description of the boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.

Issued by California Public Utilities Commission.

Decision 95-07-010, Application 94-09-044.

SECTION 2. SERVICE AREA DESCRIPTIONS.

On-Call, ~~Door-to-Door~~ Service

Riverside County (Coachella Valley).

All points within the geographical limits of the following cities and communities:

Palm Springs, Indio, Rancho Mirage, Desert Hot Springs, La Quinta, Coachella, and Indian Wells.

SECTION 3. ROUTE DESCRIPTIONS.

Route 1. On-call, door-to-door, service

Commencing at any point within the authorized service area described in Section 2, then via the most convenient streets and highways to ONT, SNA, LAX, or Hotels in the LAX area (Zip Code - CA 90045).

Issued by California Public Utilities Commission.

Decision 95-07-010, Application 94-09-044.