

Mailed
A. 95-07-011
JUL 13 1995

Decision 95-07-011 July 6, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of William J. Singer, D.B.A. (Applicant) for certificate of public convenience and necessity to operate as a Passenger Stage Corporation between Isla Vista, California and Santa Barbara, California and between San Diego, California and Pacific Beach, California.

ORIGINAL

OPINION

William J. Singer, an individual (applicant), requests authority pursuant to Public Utilities Code § 1031, et seq., to establish and operate as a passenger stage corporation on a scheduled service to transport passengers between the City of Santa Barbara and Isla Vista, and between San Diego State University (SDSU) and Pacific Beach.

Applicant proposes to provide scheduled service during evening hours and major events at the schools. Isla Vista and SDSU has a student population of 25,000 and 36,000, respectively. Persons will be transported between the SDSU and dormitories and the entertainment centers located in the Cities of Santa Barbara and Pacific Beach. The proposed service will eliminate; (1) additional vehicles on the streets and highways, (2) parking for additional vehicles and (3) additional vehicle related accidents that may be caused by consumption of alcoholic beverages. The proposed fares are \$3 one-way and \$5 round-trip. Applicant plans to use a 1981 Grumman forty-six passenger vehicle and intends to purchase other equipment when the authority is granted. The unaudited balance sheet as of March 27, 1995, attached as Exhibit "D", indicates total assets and equity of \$41,000.

in the following order.

JUL 18 1995

Decision 95-03-011 July 6, 1995

Previous to this application, Lippel Singer Enterprises, Incorporated, dba Bill's Bus (Lippel), whose

principal shareholder is the applicant, was given authority by Decision 93-12-004 to operate as a passenger stage corporation similar to this application except for the San Diego portion, as

Lippel was unable to secure insurance for the leased buses. This authority was revoked on May 24, 1995 because the service was not established within 120 days as required in ordering paragraph 2b of the decision, and Lippell did not request additional time to

establish service. This revocation does not reflect on the fitness of the applicant.

Notice of filing of this application appeared in the Commission's Daily Calendar on March 31, 1995. No protest has been received. The applicant notified the affected cities and governmental entities. The Safety and Enforcement Division recommends that the application be granted.

Findings of Fact

1. Applicant requests authority to establish and operate a scheduled service passenger stage corporation to transport passengers between the City of Santa Barbara and Isla Vista, and between SDSU and Pacific Beach.

2. Public convenience and necessity require the issuance of a certificate to perform the proposed service.

3. No protests to the application have been filed.

4. A public hearing is not necessary.

4. 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. Public convenience and necessity have been demonstrated and the application should be granted as set forth

in the following order.

2. Since there is no formal objection filed with the Commission to the application, this decision should be effective on the date it is 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.

3. Applicant is authorized to begin operations on the date that the Executive Director gives a notice to applicant that the evidence of insurance is on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicle.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to William J. Singer, an individual (applicant), authorizing him to operate as a passenger stage corporation as defined in Public Utilities (PU) Code § 226; to transport persons and their baggage, between the points and over the routes set forth in Appendix PSC 97277-92, dated July 6, 1992.

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 the tariffs and timetable 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 101, 104, and 158, and the California Highway Patrol safety rules.

Handwritten signature and initials

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

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

3. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that his 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.

4. Applicant shall comply with PU Code SS 4607 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.

Applicant shall

DANIEL W. PESSLER
President

P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
Commissioners

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

Wesley Franklin
Acting Executive Director

Comply with General Orders Series 101, 104, and 128, and the California Highway Patrol safety rules.

Original Page 1
Appendix PSC-9727

William J. Singer
William J. Singer
(an individual)

Appendix PSC-9727
Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

L. N. D. E. X.

AS A PASSENGER STAGE CORPORATION

Page

PSC-9727

2	GENERAL AUTHORITY, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS	SECTION I
3	SERVICE AREA	SECTION II
3	Showing passenger stage operative rights, restrictions, limitations, exceptions and privileges	SECTION III

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 95-07-011, dated July 6, 1995 of the Public Utilities Commission of the State of California in Application 95-03-0290-20

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

William J. Singer, an individual, 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 points in Isla Vista and Santa Barbara, Santa Barbara County, and Pacific Beach and San Diego State University, San Diego County, over and along the routes described in Section III, subject, however, to the authority of this Commission to change or modify the routes or service areas at any time and

subject to the following provisions:

- a. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- b. Service will be operated only at the designated service points listed in Section II.
- c. Service shall be operated on a scheduled basis. Such schedules shall be the timetable filed with the Commission.

Appendix PSC-9727

William J. Singer
(an individual)

Original page 3

SECTION II. SERVICE AREA AND SPECIFICATIONS.

Service Points:

Route 1

Isla Vista, Santa Barbara County
Santa Barbara, Santa Barbara County

Route 2

Pacific Beach, San Diego County
San Diego State University, San Diego County

SECTION III. ROUTE DESCRIPTION.

Route 1 Santa Barbara - Isla Vista

Commencing from Santa Barbara then proceeding along the most appropriate streets and highways to Isla Vista.

Route 2 San Diego State University - Pacific Beach

Commencing from San Diego State University, then proceeding along the most appropriate streets and highways to Pacific Beach.