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Decision 95-11-055 November 21, 1995

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Karmel Shuttle Service, )  
Inc. for certificate of public )  
convenience and necessity to operate )  
as a Passenger Stage Corporation )  
between points in the Los Angeles and )  
Orange Counties and the Los Angeles )  
International, Burbank Glendale )  
Pasadena, Long Beach Municipal, John )  
Wayne, and Ontario International )  
airports, the San Pedro/Los Angeles )  
harbor, the Amtrak Station at Downtown )  
Los Angeles, the Disneyland Theme Park )  
area, and all other points in the )  
above mentioned counties; and between )  
points in the Los Angeles and Orange )  
Counties and the Huntington Beach )  
Hospital and Medical Center. )

Application 95-07-009  
(Filed July 3, 1995)

O P I N I O N

Karmel Shuttle Service, Inc. a California corporation (applicant), requests authority pursuant to Public Utilities (PU) Code § 1031, et seq., to establish and operate as a passenger stage corporation to transport passengers and their baggage between points and places in the counties of Los Angeles and Orange, on the one hand, and Amtrak Station at Downtown Los Angeles (AMTRAK), San Pedro/Los Angeles Harbors (HRBR), Disneyland Theme Park in Anaheim (DSNY), John Wayne (JW), Burbank (BUR), Long Beach (LGB), Los Angeles International (LAX) and Ontario International (ONT) airports, on the other hand.

Applicant also requested to provide a shuttle service on a contractual basis between points in the counties of Los Angeles and Ontario, on the one hand, and Huntington Beach

Hospital and Medical Center. This requested portion was withdrawn by the applicant in its letter dated October 3, 1995. This service should be provided under charter party authority instead by common carriage.

Applicant proposes to perform a twenty-four, on-call service, on a seven-day a week basis. Applicant proposes to use two ten-passenger and one seven-passenger vans. The unaudited balance sheet as of June 28, 1995 indicates total assets of \$65,000, total liabilities of \$45,000 and equity of \$20,000. The proposed tariff containing the rules and fares are shown in Exhibit C, attached to his application. The proposed fares are reasonable.

Notice of filing of the application appeared in the Commission's Daily Calendar on July 3, 1995. No protest has been received. The applicant notified the airports, AMTRAK, HRBR, DSNY, and 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 as a passenger stage corporation an on-call service to transport passengers and their baggage between points and places in the counties of Los Angeles and Orange, on the one hand, and AMTRAK, HRBR, DSNY, JW, BUR, LGB, LAX and ONT, on the other hand.

2. The requested shuttle service between points in the counties of Los Angeles and Ontario, on the one hand, and Huntington Beach Hospital, on the other hand, has been withdrawn.

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

4. No protests to the application have been filed.

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. A public hearing is not necessary.
2. Public convenience and necessity have been demonstrated and the application should be granted, subject to staff approval of the rules and regulations governing the fares and as set forth in the following order.
3. 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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Karmel Shuttle Service, Inc., a corporation (applicant), authorizing it 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-9985.
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.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU § 403 when notified by mail to do so.

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 §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

6. The application is granted as set forth above.  
This order is effective today.

Dated November 21, 1995, at San Francisco, California.

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

T/MM

Appendix PSC-9985 Karmel Shuttle Service, Inc. Original Title Page  
(a corporation)

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-9985

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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 95-11-055, dated November 21, 1995,  
State of California in Application 95-07-009.

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Appendix PSC-9985

Karmel Shuttle Service, Inc.  
(a corporation)

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

Karmel Shuttle Service, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage on an "on-call" basis, between the points described in Section IIA, on the one hand, and Section IIB, on the other hand, over and along the route described in Section III, subject, however, to the authority of this Commission to change or modify the route 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. 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.
- c. No passengers shall be transported except those having either a point of origin or destination as described in Section IIB.
- d. This certificate does not authorize the holder to conduct any operation on the property of or into any airport unless such operation is authorized by the airport authority involved.

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SECTION II. SERVICE AREAS.

- A. Any point or place in the Counties of Los Angeles and Orange.
- B. Disneyland Theme Park, Anaheim  
San Pedro/Los Angeles Harbor, San Pedro  
AMTRAK Union Station, Los Angeles  
Burbank Glendale Pasadena Airport  
John Wayne - Orange County Airport  
Long Beach Municipal Airport  
Los Angeles and Ontario International Airports

SECTION III. ROUTE DESCRIPTION.

ON -CALL SERVICE

Commencing from any point or place, as described in Section IIA, then over the most convenient streets and highways to any point, as described in Section IIB.

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