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Decision 95-12-010 December 6, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Guy Shuman (dba Altos)
Adventures) for certificate of public
convenience and necessity to operate)
as a passenger stage corporation)
between points in Santa Clara,)
Alameda, and Contra Costa Counties)
and points in Placer, El Dorado,)
Merced, Stanislaus, Mariposa,)
Tuolumne, Alpine, Nevada, Sierra,)
Yuba, Siskiyou, and Shasta Counties.)

Application 95-09-029
(Filed September 25, 1995)

O P I N I O N

Guy Shuman (applicant), an individual, 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 points in the Counties of Santa Clara, Alameda and Contra Costa, on the one hand, and skiing and rafting locations in the Counties of Placer, El Dorado, Merced, Stanislaus, Mariposa, Tuolumne, Alpine, Nevada, Sierra, Yuba, Siskiyou, and Shasta, on the other hand. In his letter dated November 15, 1995, applicant requested that Merced, Stanislaus, and Shasta Counties be removed from his service area because he does not expect to serve them.

Applicant proposes to provide scheduled service for: (1) ski trips Thursday, Saturday, Sunday, and holidays from Thanksgiving Day in November to March and (2) rafting excursions daily to certain rafting sites from April through September. Ski trips are for a day leaving 5 a.m. from San Francisco South Bay points and arriving at either Squaw Valley or Northstar at 9 a.m. The vehicle will depart from the ski area at 5 p.m. and arrive 9 p.m. at designated South Bay points. Applicant also proposes

to provide rafting excursions on a one-, two-, or five-day trip basis. The proposed fare for the ski trip is \$89 per person. The proposed fares for rafting excursions will vary between \$119 per person for a day trip to South Fork American River and Coloma and \$429 for a five-day trip to Lower Klamath River, Happy Camp. Applicant plans to use a Ford F-350 El Dorado vehicle that has a seating capacity of fifteen passengers including the driver. The unaudited balance sheet as of September 21, 1995, attached as Exhibit "E," indicates total assets of \$570,000, total liabilities of \$88,000 and net worth of \$482,000.

Notice of filing of this application appeared in the Commission's Daily Calendar on October 20, 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 points in the Counties of Santa Clara, Alameda, and Contra Costa, on the one hand, and skiing and rafting locations in the Counties of Placer, El Dorado, Mariposa, Tuolumne, Alpine, Nevada, Sierra, Yuba, and Siskiyou, on the other hand.
2. Public convenience and necessity require the issuance of a certificate to perform the proposed service to transport persons for skiing and rafting trips only.
3. No protests to the application have been filed.
4. A public hearing is not necessary.
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. 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.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Guy Shuman, 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-10137.

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.
- g. Applicant shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

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

Dated December 6, 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-10137

Guy Shuman
(an individual)

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CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-10137

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 95-12-010,
dated December 6, 1995, of the Public Utilities Commission
of the State of California in Application 95-09-029.

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Appendix PSC-10137

Guy Shuman
(an individual)

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Issued by California Public Utilities Commission.

Decision 95-12-010, Application 95-09-029.

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

Guy Shuman, 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 on a skiing or rafting excursion between points and places, as described in Section IIA, on the one hand, and points and places, as described in Section IIB, on the other hand, over and along the route as described in Section III, subject, however, to the authority of this Commission to change or modify the route 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. Scheduled service will be operated only at the designated service points listed in Section II. Such schedules shall be the timetable filed with the Commission. All of the stop points shall be described in the timetable filed with the Commission.
- c. Transportation shall be available only to passengers who are either on a skiing or rafting excursion whose point of origin or destination is described in the timetable filed with the Commission.

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SECTION II. SERVICE AREA.

- A. Counties of Santa Clara, Contra Costa and Alameda.
- B. Counties of Placer, El Dorado, Mariposa, Tuolumne, Alpine, Nevada, Sierra, Yuba, and Siskiyou.

SECTION III. ROUTE DESCRIPTION.

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

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