

JAN 10 1996

Decision 96-01-007 January 10, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Celestial Park Ride & Fly, Inc., dba P R & F Shuttle Services, for authority to operate as a passenger corporation between points in Sacramento and San Francisco Counties, Sacramento Metropolitan Airport and San Francisco International Airport.

ORIGINAL

Application 95-10-034 (Filed October 20, 1995)

OPINION

Celestial Park Ride & Fly, Inc. (applicant) a corporation, 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 its parking lot at 1513 Sports Drive, Sacramento, on the one hand, and downtown Sacramento, Sacramento Metropolitan Airport (SMA) and San Francisco International Airport (SFO), on the other hand.

Applicant proposes to provide on-call service, seven days a week. Applicant will operate the service with three vans. The proposed one-way adult fares between the parking lot, on the one hand, and SMA and SFO, on the other hand, are \$2 and \$35, respectively. The proposed fares are reasonable. However, any person whose vehicle is left in care of applicant's parking lot will be transported without any charge between the parking lot and SMA and downtown Sacramento. In this instance, when a fare is not charged, applicant is in the act of operating as a charter-party carrier under PU Code § 5384(a), whose transportation service is incidental to its business. The unaudited balance sheet as of

SEP 10 1995

Decision 95-01-007 January 10, 1996

September 30, 1995 indicates total assets of \$1,004,500, total liabilities of \$455,240, and net worth of \$549,260.

Notice of filing of the application appeared in the Commission's Daily Calendar on October 31, 1995. No protest has been received. The applicant notified SMA, SFO, 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 its parking lot at 1513 Sports Drive, Sacramento, on the one hand, and downtown Sacramento, SMA, and SFO, on the other hand.

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

3. Applicant is in the act of operating as a charter party carrier under PU Code § 5384(a) when a passenger is not charged for the transportation between applicant's parking lot and the proposed service area as the transportation service is incidental to its business.

4. No protest 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.

ORDER

Before beginning service to any airport, applicant shall notify the airport's governing body. Applicant shall not operate **IT IS ORDERED that:** info on an airport property unless such operations are also authorized by the airport's governing body.

1. A certificate of public convenience and necessity is granted to Celestial Park Ride & Fly, Inc. (applicant), a corporation 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-10150.

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 (CHP) safety rules.

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

f. Remit to the Commission the Transportation Reimbursement Fees required by PU S 403 when notified by mail to do so.

g. Comply with PU Code SS 460.7 and 1043 relating to the Workers' Compensation laws of this state.

O R D E R

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 CHP has approved the use of applicant's vehicles for service.

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

Dated January 10, 1996, at San Francisco, California.

A file a written acceptance of this certificate within 30 days after this order is effective.

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

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

T/MM

Appendix PSC-10150

Celestial Park Ride
& Fly, Inc.
(a corporation)

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-10150

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 96-01-007, dated January 10, 1996,
of the Public Utilities Commission of the State of California in
Application 95-10-034.

T/MM

Appendix PSC-10150 Celestial Park Ride & Fly, Inc. Original Page 1
(a corporation)

I N D E X

	<u>Page</u>
SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS	2
SECTION II. ROUTE DESCRIPTION	3

Issued by California Public Utilities Commission.

Decision 96-01-007, Application 95-10-034.

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

Celestial Park Ride & Fly, 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 "on-call" basis, between 1513 Sports Drive, Sacramento, on the one hand, and Sacramento Metropolitan (SMA) and San Francisco International (SFO) Airports, on the other hand, over and along the route described in Section II, 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 at SMA or SFO.
- 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.

Issued by California Public Utilities Commission.

Decision 96-01-007, Application 95-10-034.

T/MM

Appendix PSC-10150 Celestial Park Ride & Fly, Inc. Original Page 3
(a corporation)

SECTION II. ROUTE DESCRIPTION.

ON -CALL SERVICE

Commencing from 1513 Sports Drive, Sacramento then over
the most convenient streets and highways to either SMA or
SFO.

Issued by California Public Utilities Commission.

Decision 96-01-007, Application 95-10-034.