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ALJ/WRS/glc

Decision 96-02-063 February 23, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of: The application of )  
 Robert John Hilton dba Desert Valley )  
 Shuttle for authority to Extend )  
 Passenger Stage Service within and )  
 between certain points in the )  
 Coachella Valley on one hand, and )  
 Ontario Airport, John Wayne Airport )  
 Long Beach Airport, Hotels in the )  
 Los Angeles Airport area (Zip Code )  
 90045) and LAX (Los Angeles )  
 International Airport), and the )  
 Cities of the Counties of Riverside, )  
 San Bernardino,) Orange, and )  
 Los Angeles on the other. )

**ORIGINAL**

Application 95-10-056  
(Filed October 20, 1995)

O P I N I O N

Robert John Hilton (applicant), an individual, requests authority pursuant to Public Utilities Code § 1031, et seq., to extend his passenger stage corporation to transport passengers and their baggage. Applicant is currently authorized to operate as an on-call passenger stage corporation pursuant to Decision (D.) 95-07-010, between certain points in the Coachella Valley, on the one hand, Application 95-10-056 and John Wayne (SNA), Ontario International (ONT), and Los Angeles International (LAX) Airports, and hotels in the LAX area, on the other hand. Applicant proposes to perform a scheduled service between points and places in the Coachella Valley, on the one hand, and points and places in the Counties of Riverside, San Bernardino, Los Angeles, and Orange, and the airports of ONT, SNA, Long Beach (LGB), and LAX, on the other hand, as indicated in Exhibit B, attached to the application. Applicant indicated in his letter, postmarked January 8, 1996, he would provide on-call service between points in the Coachella Valley and the above-named counties. The scheduled service will be limited between points in Coachella Valley

and the above-named airports, San Pedro Harbor (Harbor), and the hotels located within the vicinity of the airports and the Harbor.

The proposed fares are shown in Exhibit B, attached to the application.

Notice of filing of this application appeared in the Commission's Daily Calendar on November 6, 1995. The applicant notified all of the affected cities. No protest has been received. The Safety and Enforcement Division recommends that this application be granted.

Findings of Fact

1. Applicant is currently authorized to operate as a passenger stage corporation pursuant to D.95-07-010, between certain points in the Coachella Valley, on the one hand, and SNA, ONT, and LAX Airports, and Hotels in the LAX area, on the other hand.

2. Applicant requests to extend his on-call passenger stage service between points and places in the Coachella Valley, on the one hand, and points and places in the counties of Riverside, San Bernardino, Los Angeles, and Orange as indicated in Exhibit B, attached to the application, on the other hand, and scheduled service between points and places in Coachella Valley, on the one hand, and the airports of ONT, SNA, LGB, and LAX, Harbor, and the hotels located within the vicinity of the airports and the Harbor, on the other hand.

3. Public convenience and necessity require the proposed extension of service.

4. No protests to the application have been filed.

5. A public hearing is not necessary.

6. 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. The application should be granted.
2. Since the matter is uncontested, the decision should be effective on the date 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. The certificate of public convenience and necessity granted to Robert John Hilton (applicant), an individual, 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 PSC-8661, of Decision 95-07-010 is amended by replacing Original Pages 2 and 3 with First Revised Pages 2 and 3, subject to the conditions contained in the following paragraphs.
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. Comply with controlled substance and alcohol testing certification program pursuant to PU Code § 1032.1 and General Order Series 158.
- f. Maintain accounting records in conformity with the Uniform System of Accounts.
- g. Remit to the Commission the Transportation Reimbursement Fee required by PU § 403 when notified by mail to do so.
- h. Comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

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 his 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.

6. Application 95-10-056 is closed.

This order is effective today.

Dated February 23, 1996, at San Francisco, California.

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

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

Robert John Hilton, an individual, by the certificate of public convenience and necessity granted by the \*revised decision noted in the margin, is authorized to transport passengers and their baggage between \*points and places as described in Section IIA and points and places specified in Sections IIB and IIC, over and along the routes described in Section III, subject, however, to the authority of this Commission to change or modify this authority 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. Scheduled service will be operated only at the designated service points listed in Sections IIA and IIB. 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.
- d. No passengers shall be transported except those having a point of origin or destination listed in \*Section IIA.
- 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.

Revised by Decision 96-02-063, Application 95-10-056.

## SECTION II. SERVICE AREA.

- A. Points and places in the Coachella Valley, Riverside County within the geographical limits of the following cities and communities:

Indio	*PGA West	La Quinta	*Bermuda Dunes
Indian Wells	*Palm Desert	*Thousand Palms	Rancho Mirage
*Cathedral City	Palm Springs	Desert Hot Springs	

- \*B. Points and places in the counties of Riverside, San Bernardino, Los Angeles, and Orange

- C. Ontario International Airport  
Los Angeles International Airport  
John Wayne Airport  
Long Beach Airport  
San Pedro Harbor  
Hotels within the immediate vicinity of the above airports and Harbor.

## SECTION III. ROUTE DESCRIPTION.

ON-CALL SERVICE

Commencing from any point as described in Section IIA, then over the most convenient streets, expressways, and highways to any airports described in Section IIC and \*to any points described in Section IIB.

\*SCHEDULED SERVICE

Commencing from any point as described in Section IIA, then over the most convenient streets, expressways, and highways to any points described in Section IIC.

Issued by California Public Utilities Commission.

\*Revised by Decision 96-02-063, Application 95-10-056.