

Decision 97-05-065 May 21, 1997

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of Application of Mini-Bus Systems, Inc., dba SuperShuttle San Gabriel, to extend its passenger stage authority (PSC-8016) to include Palm Springs Airport, San Bernardino Airport, Palm Springs Rail Station and certain additional points in San Bernardino and Riverside Counties; and add Baggage-Express service, pursuant to Section 1031, et seq., of the California Public Utilities Code on the one hand, and to establish a zone-of-rate-freedom under the provisions of Section 454.2 of the Public Utilities Code, on the other hand.

**ORIGINAL**Application 96-12-054  
(Filed December 23, 1996)**O P I N I O N**

Mini-Bus Systems, Inc. (applicant), a corporation, requests authority under Public Utilities (PU) Code § 1031 *et seq.* to extend its passenger stage service area to transport passengers and express. Applicant is currently authorized to operate an on-call passenger stage corporation (PSC-8016) pursuant to Decision (D.) 93-09-004 between certain points in the Counties of Los Angeles, Orange, Ventura, Riverside, and San Bernardino, on the one hand, and Los Angeles Amtrak Station (LAMTRK), Los Angeles and Long Beach Harbors (HRBRS), Los Angeles International (LAX), Burbank (BUR), Ontario International (ONT), Long Beach (LGB), and John Wayne (SNA) Airports, on the other hand.

Applicant proposes to extend its on-call service to include Palm Springs Airport (PSP), San Bernardino Airport (SBD), Palm Springs Rail Station (PSR), and the remaining portions of San Bernardino and Riverside Counties presently not included in its authorized service area. MotorStation (USA), who represents the applicant, clarified its proposed service area by its letter dated February 27. This letter also asked that the request to establish a zone of rate freedom (ZORF) for all of its present and proposed service area be deleted or withdrawn. Applicant proposes service between: (1) points in

the Counties of Los Angeles, Orange, and Ventura, on the one hand, and PSR, PSP, and SBD, on the other hand, (2) all points in the Counties of Riverside and San Bernardino not presently in applicant's service territory, on the one hand, and SBD, PSR, PSP, LAMTRK, HRBRS, LAX, BUR, ONT, LGB, and SNA, on the other hand, and (3) SBD, PSR, and PSP, on the one hand, LAMTRK, HRBRS, LAX, BUR, ONT, LGB, and SNA, on the other hand. Applicant also proposes to transport unaccompanied baggage and express shipments weighing less than 100 pounds per shipment between its present and proposed service points. The proposed fares and rates for express shipments described in Exhibit B, attached to the application are reasonable.

The general authorizations, restrictions, limitations, specifications, routes, and service areas of the applicant, identified as Attachment B to D.93-09-004, specify the scope of applicant's certificated authority to operate as a passenger stage corporation. Since the proposed extension will revise all of the affected pages in Attachment B, an in-lieu certificate will be issued marking the certificate as Appendix PSC-8016, that will appropriately identify the applicant. The in-lieu certificate will contain all of the authorizations, restrictions, limitations, specifications, routes, and service areas, as shown in Attachment B and will include the proposed service extension and the authorizations, restrictions, and limitations in the transportation of unaccompanied baggage and express not weighing more than 100 pounds.

Notice of filing of this application appeared in the Commission's Daily Calendar of December 23, 1996. The applicant mailed a copy of the application to all the affected airports, train stations, harbors, and transit companies and notified all of the affected cities. No protest has been received.

The Rail Safety and Carriers Division recommends that this application be granted.

#### **Findings of Fact**

1. Applicant is currently authorized to operate an on-call passenger stage corporation pursuant to D.93-09-004 between certain points in the Counties of Los

Angeles, Orange, Ventura, Riverside, and San Bernardino, on the one hand, and LAX, BUR, ONT, LGB, and SNA Airports, LAMTRK, and HRBRS, on the other hand.

2. Applicant's proposed service includes service between: (1) points in the Counties of Los Angeles, Orange, and Ventura, on the one hand, and PSR, PSP, and SBD, on the other hand, (2) all points in the Counties of Riverside and San Bernardino not presently in applicant's service territory, on the one hand, and SBD, PSR, PSP, LAMTRK, HRBRS, LAX, BUR, ONT, LGB, and SNA, on the other hand, and (3) SBD, PSR, and PSP, on the one hand, LAMTRK, HRBRS, LAX, BUR, ONT, LGB, and SNA, on the other hand.

3. Applicant requests authority to transport unaccompanied baggage and express shipments weighing less than 100 pounds per shipment between its present and proposed service points.

4. Applicant's representative, MotorStation (USA), requested in its letter of February 27, 1997 to withdraw its proposal to establish a ZORF for all its present and proposed service area.

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

6. No protests to the application have been filed.

7. A public hearing is not necessary.

8. An in-lieu certificate, attached to this decision, identified as Appendix PSC-8016, will properly identify it with the operator of the authority. This Appendix will replace Appendix B, attached to D.93-09-004.

9. 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. Applicant withdrew its request to establish a ZORF for its present and proposed service.

2. Since the matter is uncontested, the decision should be effective on the date signed.

3. An in-lieu certificate should be issued as Appendix PSC-8016 that also identifies the authorized operator of the certificate.

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. An in-lieu certificate of public convenience and necessity is granted to Mini-Bus Systems, Inc. (applicant), a corporation, authorizing it to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, to transport persons, their baggage and unaccompanied and express between the points and over the routes set forth in Appendix PSC-8016, 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 timetables 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 the 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 Code § 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. 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.

4. The certificate of public convenience and necessity (CPCN) granted in paragraph 1 shall supersede the CPCN granted by Decision 93-09-004 which is revoked on the effective date of the tariff filings required by paragraph 2.b.

5. The application is granted as set forth above; this grant of authority excludes the request to establish a zone of rate freedom for present and proposed service areas, which was withdrawn by applicant's representatives.

6. This application is closed.

This order is effective today.

Dated May 21, 1997, at Sacramento, California.

P. GREGORY CONLON  
President  
JESSIE J. KNIGHT, JR.  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
RICHARD A. BILAS  
Commissioners

T/MM

Appendix PSC-8016

Mini-Bus Systems, Inc.  
(a corporation)

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-8016

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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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Supersedes authority heretofore granted to  
Mini-Bus Systems, Inc.,  
by D.93-09-004.

Issued under authority of Decision 97-05-065, dated May 21, 1997, of  
the Public Utilities Commission of the State of California in  
Application 96-12-054.

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SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS (continued).

This in-lieu certificate supersedes all passenger stage operative authority granted to Mini-Bus Systems, Inc.

Mini-Bus Systems, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to transport passengers, their baggage, and express, on an "on-call" basis, between the points described in Section IIA, on the one hand, and Section IIB, on the other hand, and between points in Section IIB, 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 I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS (concluded).

- e. Express service shall be restricted to packages not exceeding one hundred pounds which either originate at or are destined to any points as described in Section IIB.

SECTION II. SERVICE AREAS.

- A. Any point or place in the Counties of;  
  
Los Angeles, Orange, Riverside, San Bernardino, and Ventura, south of the Los Padres National Forest.
  
- B. Los Angeles and Long Beach Harbors  
AMTRAK Union Station, Los Angeles  
Burbank Glendale Pasadena Airport  
John Wayne - Orange County Airport  
Long Beach Municipal Airport  
Los Angeles International Airport  
Ontario International Airport.  
Palm Springs Rail Station  
Palm Springs Airport  
San Bernardino Airport.

SECTION III. ROUTE DESCRIPTION.

ON -CALL SERVICE

Route 1 Counties - Airports, Harbors, Rail Stations  
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.

Route 2 Airports, Harbors, Rail Stations  
Commencing from any point or place, as described in Section IIB, then over the most convenient streets and highways to any point, as described in Section IIB.

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