

Decision 97-11-015 November 5, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Dial-A Ride Transit Systems, Inc. for authority to operate as a passenger service between Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties, on one hand, and various other popular destinations, including Los Angeles International (LAX) Airport, Burbank (BUR) airport, Long Beach (LGB) airport, John Wayne (OCX) airport, Ontario (ONT) airport, Amtrak stations and Los Angeles and Long Beach Harbors, and various other destinations on the other hand.

ORIGINAL

Application 97-07-019
(Filed July 18, 1997)

O P I N I O N

Dial-A-Ride Transit Systems, Incorporated (applicant), a corporation, requests authority pursuant to Public Utilities Code § 1031, et seq., to establish and operate as an on-call passenger stage corporation to transport passengers and their baggage between points in the Counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and San Diego, on the one hand, and Los Angeles International (LAX), Burbank, Long Beach, Ontario, John Wayne (SNA), and San Diego International Airports, AMTRAK station, Los Angeles, Los Angeles, Long Beach, and San Diego Harbors, on the other hand. Applicant also proposes to transport; (1) senior citizens and disabled persons to or from medical appointments, workplace, and other activities; (2) students, between schools, colleges, and universities, and their residence; (3) commuters, between their worksite and residence; (4) tourists, between the hotels and restaurants and tourist attractions; and (5) persons who have missed their ride or bus if their destination point is 15 miles or more.

Applicant proposes to perform an on-call service, 24-hours per day, 7 days a week. Exhibit H, attached to the application, lists 2 seven-passenger vans. The Balance Sheet as of January 6, 1997, attached to the application as Exhibit D, shows cash in the

amount of \$8,000, savings in the amount of \$23,000, furniture in the amount of \$30,000, computer and communications equipment in the amount of \$21,000, and automobiles in the amount of \$49,000, or total assets in the amount of \$131,000, total liabilities, identified as automobiles and furniture, in the amount of \$17,000 and net worth in the amount of \$114,000. By letter of September 11, 1997, the applicant amended its request to reduce the proposed service area. Applicant proposes to serve only between the cities or communities of Anaheim, Buena Park, Costa Mesa, Irvine, Laguna Hills, Laguna Beach, and Newport Beach, on the one hand, and LAX, SNA, and Los Angeles Harbor (HBR), on the other hand. The proposed fares, as shown in Exhibit A, attached to the application, are reasonable.

Notice of filing of the application appeared in the Commission's Daily Calendar of July 21, 1997. No protest has been received. The applicant notified the affected airports, cities and governmental entities. The Rail Safety and Carriers Division recommends that the application be granted.

Findings of Fact

1. Applicant requests authority, as amended by its letter dated September 11, 1997, to establish and operate as an on-call passenger stage corporation to transport passengers and their baggage between the cities or communities of Anaheim, Buena Park, Costa Mesa, Irvine, Laguna Hills, Laguna Beach, and Newport Beach, on the one hand, and LAX, SNA, and HBR, on the other hand.
2. Public convenience and necessity require the issuance of a certificate to perform the proposed service.
3. No protests to the application have been filed.
4. 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.

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 Dial-A-Ride Transit Systems, Incorporated (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 route set forth in Appendix PSC-10989 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 § 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.
- i. Enroll all drivers in the pull notice system as required by Section 1808.1 of the Vehicle Code.

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 amended by letter dated September 11, 1997.

6. This application is closed.

This order is effective today.

Dated November 5, 1997, at San Francisco, California.

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

T/MM

DRAFT (WFW7.0)

APPENDIX PSC-10989

Dial-A-Ride Transit
Systems, Inc.
(a corporation)

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-10989

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 97-11-015, dated November 5, 1997, of the Public
Utilities Commission of the State of California in Application 97-07-019.

APPENDIX PSC-10989

Dial-A-Ride Transit
System, Inc.
(a corporation)

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Issued by California Public Utilities Commission.

Decision 97-11-015, Application 97-07-019.

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

Dial-A-Ride Transit Systems, 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 points and places as described in Section IIA, and Section IIB, over and along the route 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 description is 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 shall show the conditions under which each authorized on-call service will be rendered.
- c. No passengers shall be transported except those having a point of origin or destination 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 AREA.

A. The cities or communities within the County of Orange:

Anaheim
Irvine
Newport Beach

Buena Park
Laguna Hills

Costa Mesa
Laguna Beach

**B. Los Angeles International Airport
Los Angeles Harbor
John Wayne Airport**

SECTION III. ROUTE DESCRIPTION.

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

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