

Decision 98-11-053 November 19, 1998

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

In the Matter of Application of Antone Sylvester Tug Service, Inc. for a certificate of public convenience and necessity as a common carrier by vessel between points in the Los Angeles, Long Beach, and Redondo Beach harbor areas and points offshore of Los Angeles County.

Application 96-05-012  
(Filed May 3, 1996; reopened  
August 25, 1998)

**ORIGINAL**

**O P I N I O N**

Petitioner Antone Sylvester Tug Service, Inc. (applicant) is a common carrier by vessel under the terms of a certificate of public convenience and necessity (CPCN) granted by Decision (D.) 96-09-029 in this proceeding. Under Section I of Appendix VCC-75 to that decision, applicant is authorized to operate its service only with the vessel, M/V CHRISTOPHER G.

Applicant states that the demand for its services has increased gradually since we issued D.96-09-029, and that it cannot meet this demand with the M/V CHRISTOPHER G alone. In response, applicant has purchased three additional crafts, the M/V COLLEEN, the M/V DEANNA LEE, and barge ASTSI. Applicant seeks to modify its present operating authority to allow it to operate its present service with this additional equipment.

No protest has been filed in response to the petition. The petition satisfies the requirements set forth in Rule of Practice and Procedure 47, and is supported by a showing of need for the modification. We will grant the petition and modify the applicant's CPCN accordingly.

**Findings of Fact**

1. D.96-09-029 limits applicant's operating authority to the operation of only one vessel, the M/V CHRISTOPHER G.
2. There is presently a need for applicant to expand its common carrier service to satisfy increased demand.
3. Applicant has acquired two additional vessels and a barge to meet the increased demand for its service.

**Conclusion of Law**

Applicant's petition for modification of D.96-09-029 should be granted.

**O R D E R**

**IT IS ORDERED that:**

1. The Petition of Antone Sylvester Tug Service, Inc. for Modification of Decision (D.) 96-09-029 is granted.
2. The paragraph of Section I of Appendix VCC-75 to D.96-09-029 which now reads:

**"Antone Sylvester Tug Service, 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 conduct common carriage by its vessel, 'M/V CHRISTOPHER G,' for the transportation of passengers and their baggage, and/or property, between the points as described in Section II subject to the following provisions:"**

is amended to read as follows:

"Antone Sylvester Tug Service, 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 conduct vessel common carriage by its vessels 'M/V CHRISTOPHER G,' 'M/V COLLEEN,' 'M/V DEANNA LEE' and barge 'ASTS1' for the transportation of passengers and their baggage, and/or property, between the points as described in Section II subject to the following provisions:"

3. Application 96-05-012 is closed.

This order is effective today.

Dated November 19, 1998, at San Francisco, California.

**RICHARD A. BILAS**

President

**P. GREGORY CONLON**

**JESSIE J. KNIGHT, JR.**

**HENRY M. DUQUE**

**JOSIAH L. NEEPER**

Commissioners