

Decision 00-03-016 March 2, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Gerry K. Robertson, doing business as Bay and Delta Charters and Sausalito Taxi and Tours for the authority to operate as a Vessel Common Carrier between Points in Sausalito to Angel Island, and Points between Sausalito and the New San Francisco Giants Stadium.

Application 99-12-006
(Filed December 2, 1999)

OPINION

Gerry K. Robertson, doing business as Bay and Delta Charters and Sausalito Taxi and Tours (applicant) seeks authority pursuant to Public Utilities Code Section 1007 et seq. as a vessel common carrier to provide a tour and ferry service between points in Sausalito and Angel Island, and Sausalito and the San Francisco Giants New Stadium in San Francisco. The proposed routes are as shown on the attached appendices Exhibit "A" and Exhibit "A-1." Proposed ticket prices for each route are as follows:

Round trip to Angel Island:

Adults	\$20.00
Children (under 12)	\$16.00
Senior	\$16.00

Round trip to Giants New Stadium:

Adults	\$35.00
Children (under 12)	\$30.00
Senior	\$25.00

The proposed schedule is as follows:

Sausalito to Angel Island – 12 miles round trip

Four trips per day (everyday)

May through October

Sausalito 9:00 a.m. 11:00 a.m. 1:00 p.m. 3:00 p.m.

Sausalito to Giants New Stadium – 16 miles round trip

Two trips per game day, times and dates to be scheduled according to the Giants schedule for home games

The service will be provided by a 40-foot Coast Guard inspected fiberglass passenger vessel, Vessel Number D.1062435, equipped with a 320 horsepower diesel engine, capable of carrying 44 passengers and two crew.

Applicant states that currently there is no direct common carrier service between Sausalito and Angel Island, or between Sausalito and the Giants New Stadium. According to applicant, by providing service directly from Sausalito to Angel Island, the general public will not have to travel to Tiburon to get a ferry to Angel Island. Applicant believes its service will relieve highway congestion and parking problems in downtown Tiburon, and provide a necessary transportation link for the general public between Sausalito, Tiburon, and Angel Island.

Regarding the proposed service between Sausalito and the Giants New Stadium, applicant believes that it will provide a valuable public benefit during the games by relieving the pressure on public transit and parking in San Francisco.

Applicant has experience in maritime matters and is licensed by the Coast Guard. A statement of applicant's assets and liabilities is included with the application. The statement shows that applicant is financially able to provide the service.

Notice of the application appeared in Commission's December 8, 1999 calendar. Copies of the application were provided to all county and city governmental entities and regional transportation planning agencies in the areas where passengers will be loaded and unloaded. No protests have been filed.

We agree that there is a demonstrable public need for the proposed service, which can reasonably be expected to be environmentally beneficial. Accordingly, the Commission grants the requested authority in accordance with the terms and conditions of the order. In view of the clear public benefit the service will afford, the order should be effective immediately.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

Findings of Fact

1. The applicant is financially and operationally fit to provide the services proposed.
2. There is a public need for the proposed services.

Conclusion of Law

The application should be granted, subject to any local approvals necessary for the establishment of docking and parking facilities and arrangements.

O R D E R

IT IS ORDERED that:

1. The certificate of public convenience and necessity (CPCN) is granted to Gerry K. Robertson (Applicant), an individual, authorizing him to operate as a

vessel common carrier, as defined in Section 238 of the Public Utilities Code to transport persons and their baggage, between the points and over the route set forth in Appendix VCC-84 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 Order Series 87, 111, and 117.
- e. Remit to the Commission the Transportation Reimbursement Fee required by Public Utilities Code § 403 when notified by mail to do so.

3. The applicant may not operate any service approved in this order until arrangements have been made for any parking or docking facilities or procedures required to operate the service, and until any required approvals have been obtained from local authorities with jurisdiction to regulate such arrangements and facilities.

4. Applicant is authorized to begin operations on the date that the Rail Safety and Carriers Division mails a notice to the applicant that its evidence of insurance and other documents required by Ordering Paragraph 2 and written approval notice from local authorities as set forth in Ordering Paragraph 3 have been filed with the Commission, and that the U.S. Coast Guard has approved the use of the applicant's vessel for service.

5. The CPCN to operate as a vessel common carrier (VCC-84), which is granted herein, shall expire unless exercised within 180 days after the effective date of this order.

6. The application is granted as set forth above.

7. This proceeding is closed.

This order is effective today.

Dated March 2, 2000, at San Francisco, California.

RICHARD A. BILAS
President

HENRY M. DUQUE

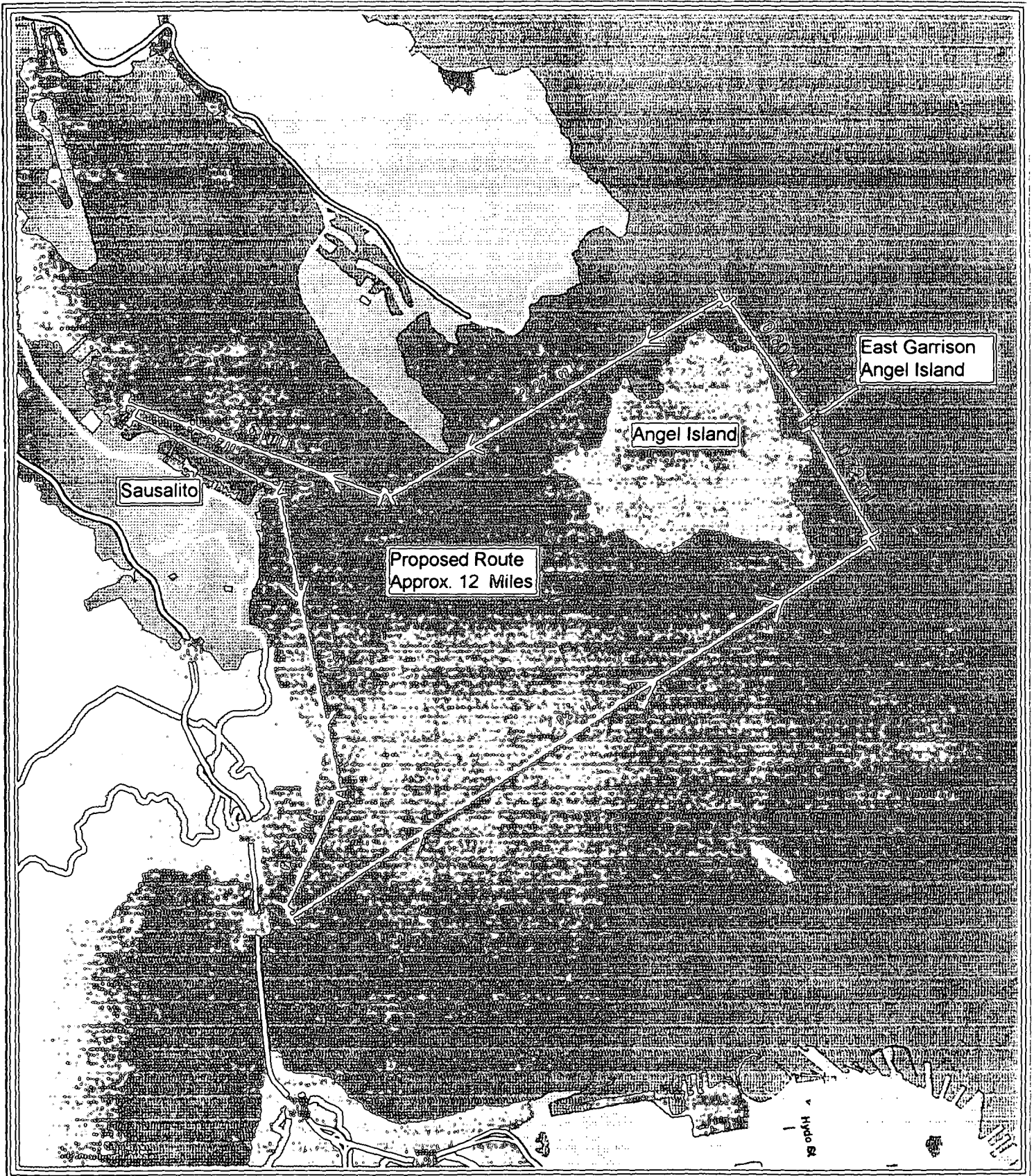
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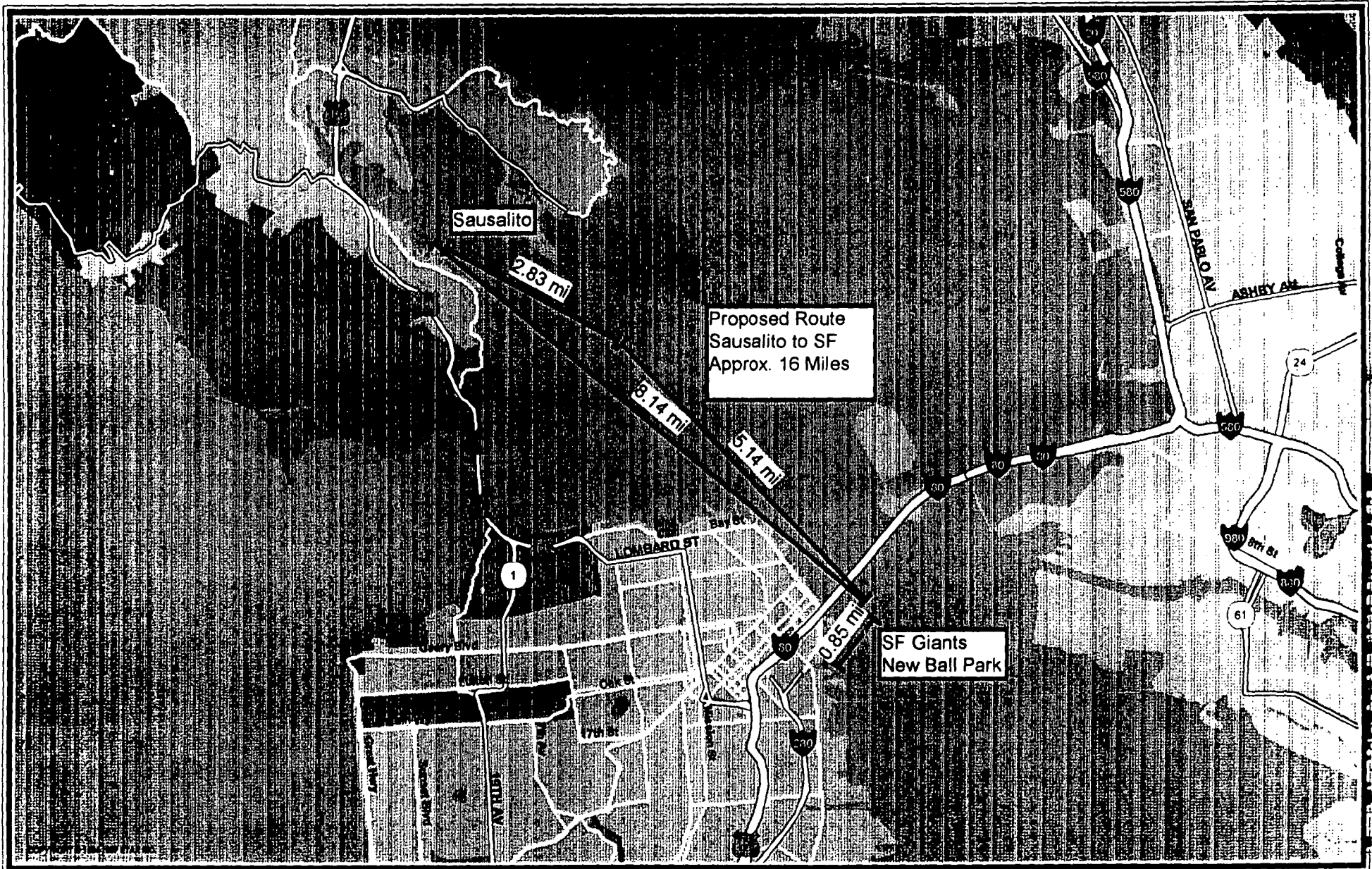
LORETTA M. LYNCH

Commissioners

Sausalito to Angel Island



Sausalito to Giants New Ball Park



A.99-12-006 ALJ/BDP/sid

Appendix VCC-84

Gerry K. Robertson
(an individual)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A VESSEL COMMON CARRIER
VCC-84

Showing vessel common carrier 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 00-03-016, dated March 2, 2000, of the
Public Utilities Commission of the State of California in Application 99-12-006.

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

Gerry K. Robertson, an individual, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to operate as a vessel common carrier to transport passengers and their baggage between points as described in Section II, subject however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. No vessel shall be operated unless it has met all applicable safety requirements, including those of the United State Coast Guard.
- b. Service between Sausalito and the Giants Stadium in San Francisco shall be provided when any Giants game is scheduled at the Giants Stadium.
- c. This certificate does not authorize the holder to conduct any operation where any parking and docking facilities or other requirements regulated by the governments, unless such operation is approved by the government involved.

Issued by California Public Utilities Commission.

Decision 00-03-016, Application 99-12-006.

SECTION II. Scheduled Service.

1. Between Sausalito and Angel Island.
2. Between Sausalito and Giants Stadium, San Francisco.

Issued by California Public Utilities Commission.

Decision 00-03-016, Application 99-12-006.