

Decision 00-04-006 April 6, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Central Coast Shuttle Services, Inc. for authority to operate as a passenger stage corporation between points in Santa Maria and Buellton, and Los Angeles International Airport (LAX) and to Establish a Zone of Rate Freedom.

Application 99-12-036
(Filed December 28, 1999)

OPINION

Summary

This decision grants the application of Central Coast Services, Inc. (Applicant), a corporation, pursuant to Section 1031 et seq. of the Public Utilities Code for a certificate of public convenience and necessity to operate as a passenger stage corporation (PSC), as defined in Section 226 of the Public Utilities Code, and to establish a Zone of Rate Freedom (ZORF) pursuant to Section 454.2 of the Public Utilities Code.

Discussion

Applicant requests authority to operate as a scheduled PSC to transport passengers and their baggage between points in the cities of Santa Maria and Buellton, on the one hand, and Los Angeles International Airport (LAX), on the other hand. Applicant proposes to operate 4 round trips per day, the first trip commencing at 5 a.m. from Santa Maria and arriving at LAX at 8:45 a.m. The last departure time from Santa Maria and LAX will be at 4 p.m., and 9:15 p.m., respectively. Applicant proposes to operate three 15-passenger vans. The proposed one-way adult fares between Santa Maria and Buellton, and LAX, as amended by letter of February 7, 2000, are \$42 and \$37, respectively.

Exhibit F to the application is the unaudited Balance Sheet as of December 15, 1999, that discloses total assets of \$1,100 and paid in capital of \$1,100. Applicant's president and sole shareholder will invest \$100,000 in the corporation upon receipt of the authority requested.

Applicant also requests authority to establish a ZORF of \$10 above and below the proposed fares, as amended. Applicant will compete with other PSCs, taxi cabs, limousines, buses, and automobiles in his service area. The establishment of the ZORF is fair and reasonable.

Notice of filing of the application appeared in the Commission's Daily Calendar on December 30, 1999. The applicant notified the affected cities, transit agencies, and LAX.

In Resolution ALJ 176-3030 dated January 6, 2000, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3030.

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

Findings of Fact

1. Applicant requests authority to operate as a scheduled PSC to transport passengers and their baggage between points in the cities of Santa Maria and Buellton, on the one hand, and LAX, on the other hand.
2. Public convenience and necessity requires the proposed service.
3. Applicant requests authority to establish a ZORF of \$10 above and below the proposed fares, as amended.

4. Applicant will compete with PSCs, taxi cabs, limousines, buses, and automobiles in his operations. The ZORF is fair and reasonable.
5. No protests to the application have been filed.
6. A public hearing is not necessary.
7. 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. Public convenience and necessity have been demonstrated and the application should be granted.
2. The request for a ZORF should be granted.
3. Before Applicant changes any fares under the ZORF authorized below, Applicant shall give this Commission at least 10 days' notice. The filing of ZORF fares should be shown in the tariff showing between each pair of service points the high and low ends of the ZORF and the then currently effective fare.
4. Since the matter is uncontested, the 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 Central Coast Shuttle Services, Inc. (Applicant), a corporation, authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, to transport persons and their baggage, between the points and over the routes set forth in Appendix PSC-13086 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 Section 1032.1 of the Public Utilities Code 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 Section 403 of the Public Utilities Code when notified by mail to do so.
- h. Comply with Sections 460.7 and 1043 of the Public Utilities Code, 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. Applicant is authorized under Section 454.2 of the Public Utilities Code to establish a Zone of Rate Freedom (ZORF) of \$10 above and below the proposed fares, as amended by letter of February 7, 2000.

4. Applicant shall file a ZORF tariff in accordance with the application on not less than 10 days' notice to the Commission and to the public and subject to Commission approval. The ZORF shall expire unless exercised within 120 days after the effective date of this order.

5. Applicant may make changes within the ZORF by filing amended tariffs not less than 10 days' notice to the Commission and to the public. The tariff shall include between each pair of service points the authorized maximum and minimum fares and the fare to be charged.

6. In addition to posting and filing tariffs, applicant shall post notices explaining fare changes in its terminals and passenger-carrying vehicles. Such notices shall be posted at least five days before the effective date of the fare changes and shall remain posted for at least thirty days.

7. 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 have been filed with the Commission and that the CHP has approved the use of Applicant's vehicles for service.

8. 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 authorized by the airport's governing body.

9. The certificate of public convenience and necessity to operate as a passenger stage corporation (PSC-13086), granted herein, expires, unless exercised within 120 days after the effective date of this order.

10. The Application, as amended by letter of February 7, 2000, is granted as set forth above.

11. This proceeding is closed.

This order is effective today.

Dated April 6, 2000, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
CARL W. WOOD
Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-13086

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.

INDEX

	<u>Page</u>
SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS	2
SECTION II. ROUTE DESCRIPTION.....	3

Issued by California Public Utilities Commission.

Decision 00-04-006, Application 99-12-036.

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

Central Coast Shuttle Services, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, are authorized to transport passengers and their baggage as a scheduled passenger stage corporation between points and places specified in Section II and over and along the route 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. When a route description is given in one direction, it applies to operation in either direction unless otherwise indicated.
- b. Scheduled service will be operated only at the designated community and cities described in Section II. A description of all the stop points and the arrival and departure times from such points shall be indicated in the timetable.
- c. Only passengers shall be transported whose point of origin or destination is Los Angeles International Airport.
- 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.

Decision 00-04-006, Application 99-12-036.

RSCD/mm

Appendix PSC-13086 Central Coast Shuttle Services, Inc. Original Page 3
(a corporation)

SECTION II. ROUTE DESCRIPTION.

Commencing from the City of Santa Maria, then over the most convenient streets, expressways, and highways to the City of Buellton and to Los Angeles International Airport.

Issued by California Public Utilities Commission.

Decision 00-04-006, Application 99-12-036.