

Decision 00-06-059 June 22, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Orlinda Ann Stocking and Elmer E. James, a California partnership dba Door to Door Outreach, for authority to operate as a passenger service through the City of San Diego, County of San Diego, City of Los Angeles, County of Los Angeles, City of Lakeside, City of El Cajon, City of Alpine and City of Blythe.

Application 00-02-032
(Filed February 24, 2000)

O P I N I O N**Summary**

This decision grants the application of Orlinda Ann Stocking and Elmer E. James (Applicant), a partnership, pursuant to Pub. Util. Code § 1031 et seq., for a certificate of public convenience and necessity to operate as a passenger stage corporation (PSC), as defined in Pub. Util. Code § 226.

Discussion

Applicant requests authority to operate as an on-call PSC to transport passengers and their baggage between: (1) Los Angeles and Blythe and (2) San Diego, on the one hand; and Blythe, Lakeside, Alpine, El Cajon, and Donovan Correctional Facility in San Diego, on the other hand. Applicant intends to transport passengers to the state prisons located in Blythe and San Diego on scheduled visiting days, and to gaming casinos located in Lakeside, Alpine, and El Cajon. Two 15-passenger vans will be used initially. The proposed adult round-trip fares, as listed in Exhibit C, are \$55 to Blythe, and \$25 to all other points. The undated and unaudited Balance Sheet, submitted separately from

the application by letter postmarked April 12, 2000, discloses total assets of \$34,518; total liabilities of \$20,418; and net worth of \$14,100.

Notice of filing of the application appeared in the Commission's Daily Calendar on February 28, 2000. The applicant notified the affected cities, state prisons, and transit agency.

In Resolution ALJ 176-3034 dated March 2, 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 176-3034.

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

Findings of Fact

1. Applicant requests authority to operate as an on-call PSC to transport passengers and their baggage between: (1) Los Angeles and Blythe and (2) San Diego, on the one hand; and Blythe, Lakeside, Alpine, El Cajon, and Donovan Correctional Facility in San Diego, on the other hand.

2. Public convenience and necessity requires the proposed service.

3. No protests to the application have been filed.

4. A public hearing is not necessary.

5. 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 has been demonstrated and the application, as amended by letter postmarked April 10, 2000, should be granted.

2. 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 (CPCN) is granted to Orlinda Ann Stocking and Elmer E. James (Applicant), a partnership, authorizing them to operate as a passenger stage corporation (PSC), as defined in Pub. Util. Code § 226, to transport persons and their baggage, between the points and over the routes set forth in Appendix PSC-13183 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 ten days' notice to the Commission; and make timetables and tariffs effective ten 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 Pub. Util. 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 Pub. Util. Code § 403 when notified by mail to do so.
- h. Comply with Pub. Util. 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. Applicant is authorized to begin operations on the date that the Rail Safety and Carriers Division mails a notice to 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.

4. 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.

5. The CPCN to operate as a PSC (PSC-13183), granted herein, expires, unless exercised within 120 days after the effective date of this order.

6. The Application, as amended by letter, postmarked April 10, 2000, is granted as set forth above.

A.00-02-032 ALJ/KLK/hkr

7. This proceeding is closed.

This order is effective today.

Dated June 22, 2000, at San Francisco, California.

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

President Loretta M. Lynch, being necessarily
absent, did not participate.

RSCD/mm

Appendix PSC-13183

Orlinda Ann Stocking
and Elmer E. James
(a partnership)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-13183

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 00-06-059, dated June 22, 2000, of the Public
Utilities Commission of the State of California in Application 00-02-032.

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

Orlinda Ann Stocking and Elmer E. James, a partnership, by the certificate of public convenience and necessity granted by the decision noted in the foot of 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 points described in Section IIB, over and along the routes 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 a route description is given in one direction, it applies 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 a point of origin or destination as described in Section IIA.
- d. This certificate does not authorize the holder to conduct any operation on the property of any airport unless such operation is authorized by the airport authority involved.

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SECTION II. SERVICE AREA.

- A. Points and places in the cities of:
 - 1. Los Angeles.
 - 2. San Diego

- B. Points and places within the cities of:
 - 1. Blythe.
 - 2. Lakeside.
 - 3. Alpine.
 - 4. El Cajon.
 - 5. Donovan Correctional Facility, San Diego.

SECTION III. ROUTE DESCRIPTION.

Route 1 – Los Angeles/Blythe

Commencing from any point in the City of Los Angeles, then over the most convenient streets, expressways, and highways to any point in the City of Blythe.

Route 2 – San Diego/Blythe, Lakeside, Alpine, El Cajon

Commencing from any point in the City of San Diego, then over the most convenient streets, expressways, and highways to the points and places described in Section IIB.

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