

Decision 00-06-060 June 22, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of BLUE & GOLD FLEET, L.P., a Limited Partnership, for a certificate of public convenience and necessity authorizing scheduled common carrier service by vessel in the transportation of passengers and their baggage, including bicycles, between Sausalito and Tiburon.

Application 00-03-006
(Filed March 1, 2000)

OPINION

Summary

Blue & Gold Fleet, L.P. (B&G) authorized to operate scheduled common carrier vessel service between Sausalito and Tiburon.

Discussion

B&G filed an application for a certificate of public convenience and necessity (CPCN) to operate scheduled common carrier vessel service between Sausalito and Tiburon on San Francisco Bay. B&G currently operates similar services between several points on San Francisco Bay. By this application, B&G seeks to provide at least one trip in each direction between the proposed points on Monday through Friday. Vessels in its existing fleet will be used. B&G holds docking rights in both Sausalito and Tiburon. The initial fare for service will be \$1.00 each way. There is no competing vessel service.

Appended to the application are letters of support by the Town of Tiburon, the City of Sausalito and the Golden Gate Bridge District. The application also includes financial information showing that B&G has the capability of providing the service.

Notice of this application appeared in the Commission's Daily Calendar on March 9, 2000. In Resolution ALJ 176-3035, dated March 16, 2000, the Commission preliminarily categorized this application as ratesetting and preliminarily determined that a hearing was not necessary. There have been no protests. Given these developments, a public hearing is not necessary and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3035.

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. B&G holds existing authority from this Commission to operate as a common carrier vessel providing service on San Francisco Bay.
2. B&G seeks authority to provide service between Sausalito and Tiburon.
3. The proposed service will be at least one trip per day at an initial fare of \$1.00 each way.
4. B&G has the physical and financial capability to provide the service.
5. Sausalito, Tiburon, and the Golden Gate Bridge District support the proposed service.
6. There have been no protests to the application.

Conclusions of Law

1. B&G should be granted the authority it seeks in this application.
2. Since there have been no protests to the application, the decision should become effective immediately.

O R D E R

IT IS ORDERED that:

1. The certificate of public convenience and necessity (CPCN) granted to Blue & Gold Fleet, L.P. (Applicant), a limited partnership, authorizing it to operate as a vessel common carrier, as defined in Pub. Util. Code § 238, to transport persons and their baggage, including bicycles, between the points and over the routes set forth in Appendix VCC-77 of Decision 97-06-066, is amended by replacing Original Page 3, with First Revised Page 3 and Original Page 4 authorizing the extension of its CPCN between Sausalito and Tiburon, 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 87, 104, 111, and 117, and the United States Coast Guard safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by Pub. Util. Code § 403 when notified by mail to do so.

3. The extension of the CPCN to operate its VCC (VCC-77), granted herein, expires, unless exercised within 120 days after the effective date of this order.

4. The application is granted as set forth above.

5. This proceeding is closed.

This order is effective today.

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

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

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

SECTION II. SERVICE POINTS (continued).

A. **Scheduled Service** (concluded).

Between the points as described below, unless otherwise specified:

S10. ***Sausalito - Tiburon (4a)**

(4a) Carrier shall provide a minimum of one (1) trip per weekday (Monday through Friday, inclusive, excluding holidays) in each direction.

B. **Nonscheduled Service**

Between any points on the shoreline of San Francisco Bay and its navigable tributaries.

This service shall include, but not limited to the following:

N1. **San Francisco - Angel Island State Park (5)**

N2. **San Francisco - Tiburon (5)**

(5) On 24 hours' notice, carrier shall provide service for 100 or more adult passengers, from September 11 through May 31.

N3. **San Francisco - Sausalito (6)**

N4. **San Francisco - Alcatraz Island (6)**

(6) On 24 hours' notice, carrier shall provide service for 40 or more adult passengers from September 11 through May 31.

Issued by California Public Utilities Commission.

*Revised by Decision 00-06-060, Application 00-03-006.

SECTION II. SERVICE POINTS (concluded)

C. (#) **Emergency Service**

At the request of the Golden Gate Bridge, Highway and Transportation District, (District), carrier may provide temporary scheduled and/or non-scheduled service between San Francisco and points in Marin County during an emergency affecting operation of the Golden Gate Bridge (Bridge) or of the District's ferry service. "Emergency" shall mean substantial traffic impairments on the Bridge or its approachways, or periods when vessels regularly used by the District for ferry service are inoperable. In conducting such emergency service, carrier may use its own docking facilities in San Francisco and any or all of the District's ferry docking facilities in San Francisco and Marin County.

Transferred from Original Page 3.

Issued by California Public Utilities Commission.

*Revised by Decision 00-06-060, Application 00-03-006.