

Decision 08-06-009 June 12, 2008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Wayne Harding Blakeley and Anita Louise Blakeley, doing business as Hi-Rollers Transport for authority to operate as a Scheduled Passenger Stage Corporation between points in the Morongo Basin, California and Cabazon, California; and to establish a Zone of Rate Freedom \$20.

Application 08-02-015
(Filed February 11, 2008)

O P I N I O N

Summary

This decision grants the application of Wayne Harding Blakeley and Anita Louise Blakeley (Applicants), husband and wife, 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

The application, as amended by letter dated April 20, 2008, requests authority to operate as a scheduled PSC to transport passengers and their baggage between points in the Morongo Basin and Cabazon.¹ Applicants state that a significant number of Morongo Basin residents travel to Casino Morongo in Cabazon to play bingo or engage in other gaming activities. Some residents, particularly the elderly, do not like driving the 75 round-trip miles, especially at

¹ The application originally included a request to establish a zone of rate freedom (ZORF). Applicants withdrew the request for a ZORF in their April 20, 2008, letter.

night. Applicants want to provide a convenient transportation service to the community while also reducing vehicle emissions and saving fuel.

Applicants will operate one round trip per day initially, leaving the Morongo Basin at 4:00 p.m. and departing Cabazon at 9:45 p.m. They will utilize a late model 12-passenger van. The round-trip fare will be \$20.

Applicants believe they have the knowledge, experience, and ability to conduct the proposed service. Wayne Blakeley gained many years of transportation management experience while a Chief of Aviation Management in the United States Air Force. This included managing a small fleet of passenger vehicles for six years where Blakeley was responsible for vehicle safety and maintenance, driver training, and coordinating the picking up and dropping off of aircrew and flight passengers. He indicates that other work experience following retirement from the military has honed his management and customer service skills. Applicants' personal financial statement discloses a net worth of over \$300,000.

Notice of filing of the application appeared in the Commission's Daily Calendar on February 26, 2008. Applicant served a notice of the application to San Bernardino County, the Town of Yucca Valley, and the Morongo Basin Transit Authority.

In Resolution ALJ 176-3209 dated February 28, 2008, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3209.

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.

Assignment of Proceeding

Richard Clark is the assigned Examiner in this proceeding.

Findings of Fact

1. The application, as amended, requests authority to operate as a scheduled PSC to transport passengers and their baggage between points in the Morongo Basin and Cabazon.
2. Public convenience and necessity requires the proposed service.
3. No protest to the application has 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 should be granted.
2. Since the matter is uncontested, the decision should be effective on the date it is signed.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity (CPCN) is granted to Wayne Harding Blakeley and Anita Louise Blakeley (Applicants), husband and wife, authorizing them to operate as a passenger stage corporation (PSC), as defined in Pub. Util. Code § 226, to transport passengers and their baggage between the points and over the routes set forth in Appendix PSC-23444, subject to the conditions contained in the following paragraphs.

2. Applicants 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. File tariffs on or after the effective date of this order. They shall become effective ten days or more after the effective date of this order, provided that the Commission and the public are given not less than ten days' notice.
- d. Comply with General Orders Series 101 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. Remit to the Commission the Transportation Reimbursement Fee required by Pub. Util. Code § 423 when notified by mail to do so.
- g. Comply with Pub. Util. Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
- h. Enroll all drivers in the pull notice system as required by Vehicle Code § 1808.1.

3. Applicants are authorized to begin operations on the date that the Consumer Protection and Safety Division mails a notice to Applicants that their 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 Applicants' vehicles for service.

4. Before beginning service to any airport, Applicants shall notify the airport's governing body. Applicants 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 PSC-23444, granted herein, expires unless exercised within 120 days after the effective date of this order.

6. The Application, as amended, is granted as set forth above.

7. This proceeding is closed.

This order is effective today.

Dated June 12, 2008, at San Francisco, California.

MICHAEL R. PEEVEY
President
DIAN M. GRUENEICH
JOHN A. BOHN
RACHELLE B. CHONG
TIMOTHY ALAN SIMON
Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-23444

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.

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

Wayne Harding Blakeley and Anita Louise Blakeley, husband and wife, 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 on a scheduled basis between the points described in Section II, over 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. Service will be operated only at the points described in Section II and over the routes described in Section III. A description of all the stop points and the arrival and departure times from such points shall be indicated in the timetable filed with the Commission.
- C. 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.

SECTION II. SERVICE AREA.

- A. Points in the Morongo Basin, including the Town of Yucca Valley and other communities located along Highway 62.
- B. The community of Cabazon.

SECTION III. ROUTE DESCRIPTION.

Commencing from any point described in Section IIA, then over the most convenient streets and highways to Cabazon.