

Decision 09-03-011 March 12, 2009

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Jet Event Transportation, LLC for Authority to operate as a Scheduled Passenger Stage Corporation within San Diego County, between areas of La Jolla, La Mesa, Mission Beach, Pacific Beach, Mission Valley, Downtown San Diego and Del Mar.

Application 08-09-018
(Filed September 18, 2008;
Amended January 27, 2009)

D E C I S I O N

Summary

This decision grants the application of Jet Event Transportation, LLC (Applicant), a limited liability company, 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 January 27, 2009¹, requests authority to operate as a scheduled PSC to transport passengers and their baggage between San Diego State University (SDSU) and Pacific Beach (both of which are within the City of San Diego), and between Pacific Beach and the City of Del Mar. Applicant desires to “minimize the amount of drunk driving and drunk driving accidents” by providing reliable, safe and affordable transportation to locations

¹ The amendment reduces the number of routes and points to be served, and provides additional background information on Applicant’s owners.

that are frequented by groups of people for social or business events. It states that currently available “nightlife transportation” is expensive. Additionally, public transportation stops running relatively early in the evenings and is not appealing for young professionals and students to ride. Attached to the application is a petition in support of the proposed service containing approximately 100 signatures collected at an Earth Day Fair held at SDSU.

The SDSU service will operate during the fall and spring school semesters. The fare between SDSU and Pacific Beach will be \$6 one way and \$10 round trip. Service between Pacific Beach and Del Mar will be conducted only on summer weekends when events are held at the Del Mar Fairgrounds. The fare will be \$8 one way and \$15 round trip. Applicant will utilize a 1994 GMC transit bus in its operation.

Applicant indicates it has the ability to conduct the proposed service. Its three owners have among them education and work experience in engineering, project management, and computer networking. Their financial statements disclose a combined net worth of approximately \$105,000.

Notice of filing of the application and the amendment appeared in the Commission’s Daily Calendar on September 26, 2008, and February 6, 2009, respectively. Applicant served a notice of the application to the affected cities and the public transit operators in the service area.

In Resolution ALJ 176-3222 dated October 2, 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 176-3222.

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 requests authority to operate as a scheduled PSC to transport passengers and their baggage between the San Diego points of Pacific Beach and SDSU, and between Pacific Beach and Del Mar.
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 Jet Event Transportation, LLC (Applicant), a limited liability company, authorizing it 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-24719, 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 decision is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this decision is effective.
- c. File tariffs on or after the effective date of this decision. They shall become effective ten days or more after the effective date of this decision, 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. Applicant is authorized to begin operations on the date that the Consumer Protection and Safety 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 PSC-24719, granted herein, expires unless exercised within 120 days after the effective date of this decision.

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

7. This proceeding is closed.

This decision is effective today.

Dated March 12, 2009, 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-24719

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.

Jet Event Transportation, LLC, a limited liability company, 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 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 shall be operated only at the points 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 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. Pacific Beach and San Diego State University, within the City of San Diego.
- B. City of Del Mar, including the Del Mar Fairgrounds.

SECTION III. ROUTE DESCRIPTIONS.

Route 1

Commencing from Pacific Beach, then over the most convenient streets and highways to San Diego State University.

Route 2

Commencing from Pacific Beach, then over the most convenient streets and highways to Del Mar.