

Decision No. 85308

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MOHAMMAD FAISAL DARWAZEH
dba SINBAD LIMOUSINE SERVICE, charter-
party carrier of passengers permit,
San Francisco.
(File No. TCP-587)

Application No. 55987
(Filed October 2, 1975)

Application of MANFRED LOUIS LAZARUS
dba UNION SQUARE LIMOUSINE LTD., for
renewal of charter-party carrier of
passengers permit, San Francisco.
(File No. TCP-281)

Application No. 55988
(Filed October 2, 1975)

Mohammad Faisal Darwazeh and Manfred Louis Lazarus,
for themselves, applicants.
James B. Brazil, Attorney at Law, for the City
and County of San Francisco, and James Strachen,
for Chauffeurs Union #265, protestants.
Thomas P. Hunt, for the Commission staff.

O P I N I O N

Mohammad Faisal Darwazeh (Darwazeh) requests a charter-party carrier of passenger permit and Manfred Louis Lazarus (Lazarus) requests renewal of a charter-party carrier of passenger permit. Because of protests filed by the city and county of San Francisco, the matters were set for public hearing which was held before Examiner Daly on November 6, 1975.

The record discloses that San Francisco's primary concern relates to operations at the San Francisco International Airport. At the present time San Francisco has granted franchises to two limousine operators who own and operate 70 vehicles on a 24-hour basis. In addition thereto San Francisco, pursuant to a San Mateo County Superior Court Order, provides three designated limousine stands at the airport for the convenience of other limousine operators. Use of these stands is subject to the

conditions that an operator has written evidence of a prearranged pickup and that the waiting period at the stands is no longer than 10 minutes. Under the rules and regulations of the airport no limousine operator is permitted to solicit passengers nor is he allowed within the baggage areas.

San Francisco introduced the testimony of airport policemen. One testified that on January 2, 1975, he saw Darwazeh in one of the baggage areas and that when he spoke to him, Darwazeh, who was very polite and agreeable, left. At the time Darwazeh was assertedly working for another operator.

Pictures were introduced showing Lazarus within one of the baggage areas. The pictures were taken on February 12, 1973. Several of the police officers testified that they saw Lazarus at the airport specifically on the dates of March 21, 1974, February 8, 1975, July 19, 1973, and November 1, 1974. Lazarus testified that at the time the pictures were taken he had an arrangement to handle overloads for the Airporter bus operator from the airport. With respect to the February 8, 1975 and March 21, 1974 dates, Lazarus introduced trip-slips indicating prearranged transportation for both days.

Darwazeh, who owns and operates a 1972 9-passenger Pontiac and who as of July 12, 1975 indicated a net worth in the amount of \$21,800, testified that he is primarily interested in providing service for weddings and funerals; that he has no interest in the airport; and that he would be willing to accept a permit restricted against service to or from the airport.

Lazarus, who is in the process of purchasing a 1973 Cadillac and who as of June 24, 1975 indicated a net worth in the amount of \$21,500, testified that the only time he goes to the airport is to make a prearranged pickup or at the request of a customer.

The representative of Chauffeurs Union #265 stated that the union opposes the issuance of additional permits because of the possible adverse financial effect upon existing operators.

After consideration the Commission finds that:

1. The record fails to demonstrate that either of the applicants are unfit persons to receive permits.
2. Both have demonstrated the necessary experience and financial ability to provide charter-party service.

The Commission concludes that the permits should be issued.

Applicants are placed upon notice that if they have occasion to take passengers to or from the San Francisco International Airport they are to fully comply with all airport rules and regulations governing such operations. Failure to comply may result in a denial or a restriction against such service upon a request for renewal.

O R D E R

IT IS ORDERED that the Executive Director of the Commission is directed to issue charter-party carrier of passenger permits to Mohammad Faisal Darwazeh and Manfred Louis Lazarus.

IT IS FURTHER ORDERED that when applicants have occasion to take passengers to or from the San Francisco International Airport they shall fully comply with all airport rules and regulations governing such operations.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 6th day of JANUARY, 1976.

~~William L. Stenger~~
William L. Stenger President
William L. Stenger
William L. Stenger
William L. Stenger Commissioners