Decision <u>88 05 055</u>

MAY 25 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Formal application to change from individual partnership to corporation, for existing PSC-1361.

Graham Robertson & Janice Allen

For Certificate of Public Convenience and Necessity to operate passenger stage and baggage service between San Mateo County, Santa Clara County; and points to and from San Francisco International and San Jose International Airports. Application 87-12-016 (Filed December 7, 1987)

# **OPINION**

Applicants Graham Robertson and Janice Allen, doing business as Nor-Cal Limousine Service, Inc., are operating out of San Jose, California, as a passenger stage corporation, under authority of Decision (D.) 84-08-082, dated August 1, 1984, in Application 84-04-069 (PSC-1361), transporting passengers and baggage from all points in San Mateo and Santa Clara Counties, on the one hand, to the San Francisco and San Jose International Airports, on the other hand. The service is on call and available 24 hours a day in 4- to 6-passenger vehicles.

Applicants have applied to transfer their passenger stage certificate, with operating equipment and office supplies, to Nor-Cal Limousine Service, Inc., which was incorporated on March 15, 1985. A copy of its Articles of Incorporation is attached to the application. Applicants will continue to own and manage the business, preferring to operate as a corporation. Eight 4- or 6-passenger vehicles will be transferred.

The August 1, 1984 operating authority was issued to the partnership of Judy Brissey and Graham Robertson, doing business as

Nor-Cal Limousine Service. A copy of the "Dissolution of Partnership" agreement dated January 24, 1985, which dissolved this partnership was received by the Commission on March 17, 1988.

The balance sheet for the present applicants dated December 1986 indicates that applicants have been operating at a loss, although full service is still being provided.

The filing of the application was noticed in the Commission's Daily Calendar, and there have been no protests or requests for hearing.

# Pindings of Fact

- 1. Applicants are transferring a passenger stage authority, with operating and office equipment, from a partnership to a corporation.
- 2. Applicants will continue to provide full service while operating as a corporation.
- 3. The proposed transfer will not be adverse to the public interest.

### Conclusion of Law

The proposed transfer is in the public interest and should be authorized. A public hearing is not necessary.

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.

### ORDER

#### IT IS ORDERED that:

- 1. Graham Robertson and Janice Allen may transfer the operative rights and property specified in the application to Nor-Cal Limousine Service, Inc., a corporation.
  - 2. Purchaser shall:
    - a. File with the Transportation Division written acceptance of the certificate and a

copy of the bill of sale or other transfer document within 30 days after transfer.

- b. Amend or reissue sellers tariffs and timetables, state in them when the service will start, make them effective 10 days or more days after this order is effective, and allow at least 10 days' notice to the Commission.
- C. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- d. Maintain the accounting records in conformity with the Uniform System of Accounts.
- e. Remit to the Commission the Transportation Reimbursement Fee required by Public Utilities (PU) Code § 403 when notified by mail to do so.
- 3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to Nor-Cal Limousine Service, Inc., a corporation, authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1361, attached hereto.

4. The certificate of public convenience and necessity granted by D.84-08-082 is revoked on the effective date of the tariffs.

This order is effective today.

Dated \_\_\_MAY 25 1988 \_\_\_, at San Francisco, California.

STANLEY W. HULETT
President

DONALD VIAL

FREDERICK R. DUDA
C. MITCHELL WILK

JOHN B. OHANIAN

Commissioners

I CERTIFY THAT THIS DECISION WAS APPROVED BY THE ABOVE COMMISSIONERS TODAY.

Victor Wolker, Elecuive Director

Appendix PSC-1361 NOR-CAL LIMOUSINE SERVICE, INC. Original Title Page

### CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY AS A PASSENGER STAGE CORPORATION

PSC-1361

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 88 05 055, dated of the Public Utilities Commission of the State of California, in Application 87-12-016.



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Issued by California Public Utilities Commission. Decision 88 05 055, Application 87-12-016.

NOR-CAL LIMOUSINE SERVICE, INC.

SECTION 1: GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.

Nor-Cal Limousine Service, Inc., by this certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to transport passengers and their baggage between points in San Mateo and Santa Clara Counties, on the other hand, and San Francisco International Airport (SFO) and San Jose Municipal Airport (SJC), on the other hand, over and along the routes described, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- (a) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) No passengers shall be transported except those having point of origin or destination at SFO or SJC.
- (d) In the event of a strike, shutdown, or other closing of the airlines maintenance base, the service shall not be operated.
- (e) This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operations are authorized by both this Commission and the airport authority involved.

Issued by California Public Utilities Commission.

Decision 88 05 055\_, Application 87-12-016.

# ECTION 2: ROUTE DESCRIPTIONS

# Route 1 - SFO

Commencing at SFO then over and along the most convenient streets and highways to the areas listed in section 3.

# Route 2 - SJC

Commencing at SJC then over and along the most convenient streets and highways to the areas listed in section 3.

### SECTION 3. AUTHORIZED SERVICE AREAS.

- 1. All points in San Mateo County.
- 2. All points in Santa Clara County.

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