

Decision **90 09 012** SEP 12 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Complaint
of Airport Limousine Service of
Sunnyvale, Inc., dba, Airport
Connection-PSC 899,

Complainant,

vs.

California Mini Bus - PSC 1169,

Defendant.

ORIGINAL

Case 89-11-008
(Filed November 15, 1989;
amended November 17, 1989)

Clifford Orloff, for Airport Limousine Service
of Sunnyvale, Inc., complainant.
Ariel Sharabi, for California Mini Bus,
defendant.

ORDER OF DISMISSAL

Complainant, Airport Limousine Service of Sunnyvale, Inc. (ALSS), provides scheduled and on-call airport transportation as a passenger stage corporation between points in Santa Clara, San Mateo, Alameda, Contra Costa, and San Francisco Counties and the San Francisco, San Jose, and Oakland Airports.

Defendant, California Mini Bus (CMB), currently operates on-call, door-to-door service between points in the City of San Francisco and the San Francisco International Airport (SFO). CMB's certificate also authorizes scheduled service between SFO and six named hotels in San Francisco. The scheduled authority was granted by Decision (D.) 84-03-109.

ALSS alleges that CMB has not operated the scheduled portion of its service since it was authorized more than five years ago, and has therefore abandoned that service. ALSS seeks an order eliminating the scheduled service from CMB's certificate.

In answer to the complaint, CMB alleges that it did commence service when it was authorized by the Commission, but was unable to continue the operation due to actions of SFO authorities. CMB denies that it has abandoned the scheduled authority, and alleges that it has pursued negotiations with SFO authorities to enable resumption of the service.

A prehearing conference was held on May 29, 1990. The representative of ALSS advised the Administrative Law Judge that due to a recent Commission ruling on the issue of abandonment of passenger stage authority (D.90-05-031 dated May 4, 1990), it would withdraw the complaint if defendant confirmed that it did not intend to abandon the authority and that its tariffs and timetables reflected its actual operations. Complainant elicited such stipulations from the defendant. Accordingly,

IT IS ORDERED that the complaint is dismissed.

This order becomes effective 30 days from today.

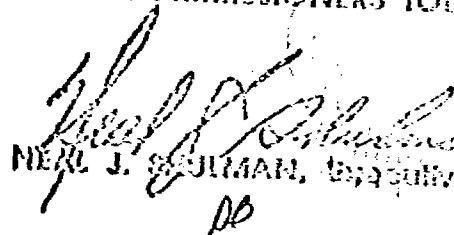
Dated SEP 12 1990, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
PATRICIA M. ECKERT
Commissioners

Commissioner John B. Ohanian,
being necessarily absent, did
not participate.

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

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NEIL J. SULLIVAN, Executive Director