

APR 11 1991

Decision 91-04-027 April 10, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Ali H. Sabbah and)
 Nasser H. Sabbah, doing business as)
 Falcon Bus Lines, for certificate)
 of public convenience and necessity)
 to operate as a passenger stage)
 corporation between Fort Bragg,)
 California and San Francisco,)
 California.)

ORIGINAL

Application 90-12-057
(Filed December 21, 1990)

O P I N I O N

This decision grants the application of Ali H. Sabbah and Nasser H. Sabbah (applicants), doing business as Falcon Bus Lines, for a certificate of public convenience and necessity. Applicants seek authority to establish and operate a passenger stage corporation to transport passengers, baggage, and express between Fort Bragg and San Francisco.

The application provides a map of the proposed routes, a schedule of proposed fares, a financial statement, and a description of the equipment to be used. The route between Fort Bragg and San Francisco would make stops at Navarro, Boonville, Cloverdale, Santa Rosa, and Ignacio. Fares would be charged according to distance at a rate of \$.18 per mile for one-way trips and a rate of \$.16 per mile for round trips. The service would be offered seven days a week, and is designed to permit passengers to travel from Fort Bragg to Santa Rosa or San Francisco and return on the same day. Applicants state a wheelchair lift may be installed on their vehicles if there is a need for it. Applicants' financial statement shows annual net revenue of \$19,748 or \$23,624, depending on the assumptions applied. Applicants show net assets of \$44,025. An attachment to the application states that one of the applicants has over 12 years of experience operating a business, and both have experience driving commercial vehicles.

Applicants state their request for this authority was motivated by their understanding that Greyhound Bus Lines (Greyhound) seeks to abandon the route which is the subject of this application. Applicants believe Greyhound's proposed abandonment presents applicants a business opportunity which will benefit the Fort Bragg community.

We agree with the applicants that a need for their proposed service exists if Greyhound abandons the route between Fort Bragg and San Francisco, as it has proposed in Application (A.) 90-09-061. Transportation Division Staff has reviewed the application and recommends that it be granted. No protest to the application has been filed.

Findings of Fact

1. Greyhound has filed A.90-09-061 seeking abandonment of its route between Fort Bragg and San Francisco.
2. Applicants seek to continue passenger stage service between Fort Bragg and San Francisco.
3. Applicants have the ability, equipment, and financial resources to perform the proposed service.
4. Public convenience and necessity require the proposed service.
5. The rates proposed in the application are reasonable.
6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
7. No protest to the application has been received.
8. As the evidence in this case shows a compelling present need for the proposed service, the order should be effective on the date of signing.

Conclusion of Law

Public convenience and necessity have been demonstrated and a certificate should be granted.

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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Ali H. Sabbah and Nasser H. Sabbah (applicants), authorizing them to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, between the points and over the routes set forth in Appendix PSC-7042 to transport persons and baggage.

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. State in their tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 101, 104, and 158, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. 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 also authorized by the airport's governing body.

4. Applicants are authorized to begin operations on the date that the Executive Director mails a notice to applicants that their evidence of insurance is on file with the Commission and that the California Highway Patrol has approved the use of applicants' vehicles for service.

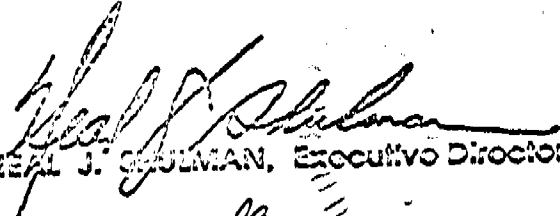
5. The application is granted as set forth above.

This order is effective today.

Dated April 10, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SCHULMAN, Executive Director
PS

T/TEE/tee

Appendix PSC-7042

Ali H. Sabbah
Nasser H. Sabbah

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-7042

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 91-04-027, dated April 10, 1991,
of the Public Utilities Commission of the State of California in
Application 90-12-057.

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Appendix PSC-7042

Ali H. Sabbah
Nasser H. Sabbah

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Issued by California Public Utilities Commission.

Decision 91-04-027, Application 90-12-057.

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

Ali H. Sabbah and Nasser H. Sabbah by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized to transport passengers, their baggage and express, on a scheduled basis, between Fort Bragg and San Francisco along the route described in Section 2, subject, however, to the authority of this Commission to change or modify the route at any time and subject to the following provisions:

- (a) This certificate does not authorize the holder to conduct any operation on the property of or into any airport unless such operation is authorized by the airport authority involved.
- (b) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.

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Appendix PSC-7042

Ali H. Sabbah
Nasser H. Sabbah

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SECTION 2. ROUTE DESCRIPTIONS.

Route 1. FORT BRAGG - SAN FRANCISCO

Commencing in Fort Bragg, south on State Route 1
to State Route 128, south on State Route 128 to State
Route 101, south on State Route 101 to San Francisco.

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