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Decision 91-05-013 May 8, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
J. R. Zavaleta for Modification of )  
His Passenger Stage Corporation )  
Certificate. )

**ORIGINAL**  
Application 90-10-050  
(Filed October 19, 1990;  
amended January 17, 1991)

O P I N I O N

J. R. Zavaleta, doing business as Tri Terminal Limousine Service, requests deletion of paragraph (g) of Section 1 of PSC-1227. Paragraph (g) provides as follows:

"The service shall be provided in luxury sedan limousines with a seating capacity of one driver and eight passengers."

By the requested deletion, applicant will be authorized to conduct his on-call transportation business in vans, as well as limousines, and to serve upper level passengers at San Francisco International Airport (SFO).

Protest

As originally filed, this application sought authority to provide scheduled van service between SFO and points in the City and County of San Francisco. As such, it was protested by SFO Airporter, Inc., a scheduled carrier between SFO and points in San Francisco.

Amendment of the application to limit it to on-call service only results in the protest stating no facts justifying denial of the application. The protest should be denied.

(Rule 8.4, Rules of Practice and Procedure.)

Findings of Fact

1. J. R. Zavaleta requests modification of his passenger stage corporation authority to delete the requirement that his service shall be provided in luxury sedan limousines with a seating capacity of one driver and eight passengers.

2. The requested modification is not adverse to the public interest.

3. A protest of the application states no facts justifying denial of the application.

4. A public hearing is not necessary.

Conclusions of Law

1. The protest should be denied.

2. The amended application should be granted.

O R D E R

IT IS ORDERED that:

1. The protest of SFO Airporter, Inc. is denied.

2. Appendix PSC-1227 is modified by First Revised Page 3 which cancels Original Page 3. (See Attachment to this decision.)

3. J. R. Zavaleta shall comply with the California Highway Patrol safety rules.


4. This proceeding is closed.

This order becomes effective 30 days from today.

Dated May 8, 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. SPULMAN, Executive Director

SECTION 1. (Concluded)

- (f) The transportation of passengers' baggage shall be on passenger-carrying vehicles and shall be incidental to the transportation of passengers and limited to a weight of not more than 100 pounds per shipment.
- (g) \*deleted.
- (h) Applicant shall not pick up or discharge passengers in San Francisco on Route 4 except between the Embarcadero and Market Street extension to Polk Street and North Point Street.
- (i) Route 4 is to be operated on a seasonal basis, April 1 through September 30.