

MAY 23 1991

Decision 91-05-048 May 22, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Dick Mak, dba Mak Airport Shuttle,)
for authority to operate as a)
passenger stage corporation between)
points in San Francisco County and)
San Francisco International Airport.)

ORIGINAL

Application 90-11-013
(Filed November 9, 1990;
amended February 8, 1991)

OPINION

Dick Mak, doing business as Mak Airport Shuttle, requests authority under Public Utilities (PU) Code § 1031, et seq. to establish and operate an on-call passenger stage corporation service for the transportation of passengers and baggage between San Francisco International Airport (SFO) and points in the City and County of San Francisco.

Applicant states that he has 5 ten-passenger vans with which he intends to operate the proposed service. A balance sheet attached to the application shows total assets of \$1,210,000 and liabilities of \$220,000 as of November 1, 1990.

On April 1, 1991, Transportation Division recommended approval of the application.

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.

After consultation with Transportation Division staff, applicant amended his application to change it from scheduled to on-call service. We find that the SFO Airporter, Inc. protest

states no facts justifying denial of the amended application. The protest should be denied (Rule 8.4, Rules of Practice and Procedure).

Findings of Fact

- 1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
- 2. A protest of the application states no facts justifying denial of the application.
- 3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

- 1. The protest should be denied.
- 2. Public convenience and necessity have been demonstrated, and a certificate should be granted to applicant.
- 3. There is a public need for the service, this order should be effective immediately.
- 4. 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. A certificate of public convenience and necessity is granted to Dick Mak authorizing him 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-7055, to transport persons and their baggage.

2. Applicant 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 his 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. Comply with PU Code §§ 460.7 and 1063 relating to workers' compensation coverage.
- f. Maintain accounting records in conformity with the Uniform System of Accounts.
- g. 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, applicant shall notify the airport's governing body. Applicant shall not operate into or on airport property unless such operations are also authorized by the airport's governing body.

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

5. The application is granted as set forth above, and this proceeding is closed.

This order is effective today.

Dated May 22, 1991, at San Francisco, California.

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

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

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


NEAL J. SCHULMAN, Executive Director

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-7055

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 91-05-048,
dated May 22, 1991, of the Public Utilities Commission of
the State of California in Application 90-11-013.

I N D E X

	<u>Page</u>
SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS	2
SECTION II. SERVICE AREAS	3, 4, 5
SECTION III. ROUTE DESCRIPTION	5

Issued by California Public Utilities Commission.

Decision 91-05-048, Application 90-11-013.

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

Dick Mak, an individual, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage on an "on-call" basis, between the points described in Section II, and San Francisco International Airport (SFO), over and along the route described in Section III, subject, however, to the authority of this Commission to change or modify the route at any time and subject to the following provisions:

- a. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- b. The term "on-call", as used, refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized on-call service will be rendered.
- c. No passengers shall be transported except those having a point of origin or destination at SFO.
- d. 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.

Issued by California Public Utilities Commission.

Decision 91-05-048, Application 90-11-013.

SECTION II. SERVICE AREAS.

San Francisco Hotels

Alexander	Orchard
All Seasons	Pacific Bay Inn
Ansonia-Cambridge	Parc Fifty Five
Bedford	Pensione International
Bel Air	The Pickwick
Beresford	Pierre
Beresford Arms	Pan Pacific
Beverly Plaza	Powell
Californian	Powell West
Campton Place	Prescott
Canterbury	Raphael
Carlton	Regis
Cartwright	S.F. Hilton Hotel
Chancellor	S.F. Marriott
Commodore International	Savoy
Cornell	Shannon Court
Diva	Sheehan
Donatello	Sheraton-Palace
Four Seasons Clift	Sir Francis Drake
Galleria Park	Sutter/Larkin
Gates	Union Square
Gaylord	Verona
Geary	Villa Florence
Golden Gate	Vintage Court
Grand Hyatt	Virginia
Grant	Westin St. Francis
Handlery Union Square	York
Holiday Inn (Union Square)	Elles'Mere on Nob Hill
Hyde Plaza	Fairmont
The Inn at Union Square	The Huntington
Juliana	Mark Hopkins
Kensington	Nob Hill Lambourne
King George	The Ritz-Carlton
Lotus	S.F. Residence Club
Mark Twain	The Stanford Court
Meridien	Trinity Suites
Monticello Inn	Monticello Inn
Mosser Victorian	Nikko
Olympic	

Issued by California Public Utilities Commission.

Decision 91-05-048, Application 90-11-013.

SECTION II. SERVICE AREAS (continued).

San Francisco HotelsEmbarcadero

Griffon
Mandarin Oriental

Hyatt Regency
Park Hyatt

Fisherman's Wharf

Bayside Boat & Breakfast
Howard Johnson's
Ramada
San Remo
Travelodge
The Wharf Inn

Holiday Inn
Hyde Park Suites
Marriott
Sheraton
Travelodge (Ghiradelli)

Chinatown

Grant Plaza
Royal Pacific Motor Inn

Holiday Inn
Temple Hotel

Japantown

Best Western Kyoto Inn

Miyako

Van Ness

Broadway Manor
Cathedral Hill
Holiday Inn-Golden Gateway
Lombard
New Richelieu Hotel
Quality Hotel
Rodeway Inn
Van Ness Motel

Castle Inn Motel
Charlie's Hotel
Holiday Lodge
Majestic Hotel
Nob Hill Motel
Queen Anne
Vagabond Inn
Pacific Heights Inn

Issued by California Public Utilities Commission.

Decision 91-05-048, Application 90-11-013.

SECTION II. SERVICE AREAS (continued).

San Francisco Hotels

Civic Center

Air Travel Hotel	Atherton
Bentley Motor Inn	Best Western Americana
Best Western Civic Center Motor Inn	
Best Western Flamingo	Britton
Comfort Inn	Embassy Motor Hotel
Essex	Friendship Inn
Inn at the Opera	National Nine Inn
Oasis Motel	Hotel One
Phoenix Inn	Red Coach Motor Lodge
San Franciscan	Senator
S. F. Central Travelodge	Travelodge Downtown
U.N. Plaza Hotel	Y.M.C.A. Central Branch

SECTION III. ROUTE DESCRIPTION.

ON -CALL SERVICE

Commencing from any of the hotels in the Service Area described in Section II then over the most convenient streets and highways to San Francisco International Airport.

Issued by California Public Utilities Commission.

Decision 91-05-048, Application 90-11-013.