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Decision 91-07-039 July 24, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Eugene Yen  
Motoring Company for a certi-  
ficate of public convenience  
and necessity to operate as a  
passenger stage corporation  
between certain points in San  
Mateo and Marin Counties.

**ORIGINAL**

Application 91-04-009  
(Filed April 10, 1991)

OPINION

Applicant Eugene Yen proposes to operate a passenger stage service between San Francisco International Airport and points in San Mateo and Marin Counties. He plans to use nine 7-passenger vans on an on-call basis.

Applicant allegedly has the ability, equipment, and financial resources to perform the proposed service. Public convenience and necessity allegedly require the institution of the proposed service. It is further alleged that the proposed service would benefit the environment by reducing the number of individual auto trips to the airport.

Notice of filing of the application appeared in the Commission's Daily Transportation calendar on April 12, 1991. In addition, notice of the filing of the application was served by applicant on all governmental agencies and regional transportation planning agencies within whose boundaries passengers will be loaded and unloaded. There have been no protests to the application. On June 11, 1991 our Transportation Division staff distributed and filed an Advice of Participation recommending that the application be granted without hearing.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. No protests to the application have been filed.
3. A public hearing is not necessary.

Conclusions of Law

1. Public convenience and necessity have been demonstrated, and a certificate should be granted to applicant.
2. This order should be effective immediately.

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 applicant Eugene Yen authorizing him 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-6387, to transport persons, baggage, and express.
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 the 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.
- 6. Comply with PU Code §§ 460.7 and 1043 relating to workers' compensation laws of the State.

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 the 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.

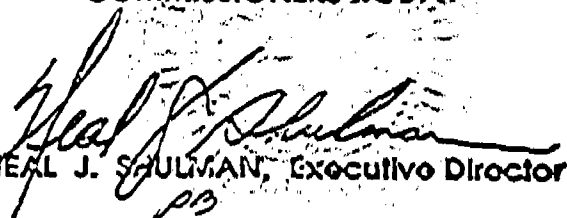
5. The application is granted as set forth above.  
This order is effective today.

Dated July 24, 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

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NEAL J. SHULMAN, Executive Director

Appendix PSC-6387

Eugene Yen

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-6387

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Showing passenger stage operative rights, restrictions,  
limitations, exceptions, and privileges.

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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.  
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Issued under authority of Decision 91-07-039,  
dated July 24, 1991, of the Public Utilities Commission of  
the State of California in Application 91-04-009.

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Issued by California Public Utilities Commission.

Decision 91-07-039, Application 91-04-009.

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

Eugene Yen, an individual, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers, their baggage, and express 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.
- e. Express means the transportation of property in common carriage in passenger carrying vehicles only. Each shipment shall not exceed 125 pounds.

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SECTION II. SERVICE AREA.

Marin County

Corte Madera, Mill Valley, San Anselmo, San Rafael, Tiburon, and West Mill Valley

San Mateo County

Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, Foster City, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Pacifica, Palo Alto, Redwood City, San Bruno, San Carlos, San Mateo, and South San Francisco

SECTION III. ROUTE DESCRIPTION.

ON -CALL SERVICE

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

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