

SEP 9 1991

Decision 91-09-010 September 6, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Peter Stojka, dba Peter's Service,)
for authority to operate as a)
passenger stage corporation between)
points in the City and County of)
San Francisco and the San Francisco)
International Airport.)

ORIGINALApplication 91-05-035
(Filed May 13, 1991)OPINION

Peter Stojka, doing business as Peter's Service (applicant), seeks an order under Public Utilities (PU) Code § 1031 granting a certificate of public convenience and necessity to establish and operate a passenger stage for the transportation of passengers and baggage between points in the City and County of San Francisco, on the one hand, and San Francisco International Airport (SFO), on the other hand.

Applicant will operate an eleven-passenger van and an eight-passenger van in its proposed service. These vans are currently operated in applicant's charter-party service, certified under TCP-6438P. Applicant will add more vans as public need requires.

Applicant will acquire liability insurance in amounts that meet the minimum requirements under General Order 101-E. Applicant will house and maintain these vans at its service facility in San Francisco. Applicant will obtain outside maintenance contractors as required.

Applicant proposes to perform "on-call", door-to-door service seven days per week, 24 hours per day. Passengers are required to give 3 hours' advance notice that service is desired. Applicant attaches as Exhibit A a map of its proposed service areas.

Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the proposed service.
3. The rates proposed in the application are reasonable.
4. No protest to the application has been received from any public transit operator serving applicant's proposed territory or any other person or corporation.
5. The proposed service will have no significant effect on the environment.

Conclusions of Law

1. Public convenience and necessity require that the requested certificate be granted.
2. 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 Peter Stojka, dba Peter's Service (applicant), authorizing it 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-6438, to transport persons and 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.

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- c. State in its 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 § 403c 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 it has evidence of insurance on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

5. Applicant shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

6. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated September 6, 1991, at San Francisco, California.

PATRICIA M. ECKERT

President

JOHN B. OHANIAN

DANIEL Wm. FESSLER

NORMAN D. SHUMWAY

Commissioners

I abstain.

/s/ G. MITCHELL WILK
Commissioner

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

NEAL J. SHULMAN, Executive Director

Appendix PSC-6438

Peter Stojka

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-6438

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 91-09-010,
dated September 6, 1991, of the Public Utilities Commission of
the State of California in Application 91-05-035.

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

Peter Stojka, 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.

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SECTION II. SERVICE AREA.

San Francisco City and County

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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