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Decision 92-01-044 January 21, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Athanasios Sakellaropoulos and Yasuo )  
 Suzuki, Independent Cab Drivers, for )  
 Certificate of Public Convenience and )  
 Necessity to operate as a Passenger )  
 Stage Corporation between points in )  
 City and County of San Francisco and )  
 the San Francisco International )  
 Airport. )

**ORIGINAL**

Application 91-10-047  
 (Filed October 21, 1991)

O P I N I O N

Applicants Athanasios Sakellaropoulos and Yasuo Suzuki, seeking to do business as California Shuttle (applicants), seek a certificate of public convenience and necessity (CPCN) to operate passenger stage service between points in San Francisco and San Francisco International Airport (SFO). Authority is sought under Public Utilities Code § 1031.

The application was filed on October 21, 1991. Notice of the filing appeared in the Commission's Daily Calendar on November 4, 1991. No protests to the application have been received.

Because the application was filed in October 1991, it is not subject to Commission Resolution TEA-1, dated November 6, 1991, which prospectively<sup>1</sup> established a six-month moratorium on issuing CPCNs for passenger stage corporations proposing to

<sup>1</sup> Resolution TEA-1 states: "A moratorium is declared during which no action will be taken to approve any application received after November 6, 1991, for a certificate of public convenience and necessity to operate a passenger stage corporation at Los Angeles International Airport or San Francisco International Airport." (Resolution TEA-1, p. 2, emphasis added.) The moratorium is to remain in effect until May 6, 1992.

serve SFO and Los Angeles International Airport. The moratorium had been requested by SFO and the City of Los Angeles in view of the significant increase in shuttle van operators serving the airports and attendant congestion and safety problems related to these operations.

Applicants propose door-to-door on-call service 24 hours a day, seven days a week, carrying only persons starting at or destined to SFO; to and from points in the City and County of San Francisco. Fares would be \$9 per person each way, or \$30 for a group of five.

The service will be operated with one 7-passenger 1991 minivan, which will be garaged in San Bruno and maintained at South City Dodge in South San Francisco. Applicants state that they have obtained liability insurance in amounts required under General Order 101-E.

Applicants have filed a balance sheet and other exhibits to show that they have the ability, equipment, and financial resources to perform the proposed service. Applicants state that the service will have no significant adverse effect on the environment and, in fact, will contribute to the quality of the environment by reducing the number of private vehicles on the road. Applicants state that public convenience and necessity will be served because they know the proposed route well, having conducted taxi service in the area for six years, and they will offer multi-lingual service (English, Japanese, and Greek) to passengers.

Findings of Fact

1. Applicants have the ability, equipment and financial resources to perform the proposed service.
2. No protests to the application have been filed.
3. It can be seen with certainty that the proposed service will have no significant adverse effect on the environment.

4. Applicants have demonstrated that a public need will be served by the transportation proposed in the application. Accordingly, this order should be effective immediately.

5. A public hearing is not necessary.

Conclusions of Law

1. The six-month moratorium authorized in Resolution TEA-1 on CPCNs for service to and from SFO does not apply to an application filed prior to November 6, 1991.

2. Public convenience and necessity have been demonstrated in this application, 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.

ORDER

**IT IS ORDERED that:**

1. A certificate of public convenience and necessity is granted to Athanasios Sakellaropoulos and Yasuo Suzuki, seeking to do business as a partnership under the name of California Shuttle (applicants), authorizing applicants 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-7409, 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 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.

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' vehicle for service.

5. Applicant shall comply with Public Utilities Code §§ 460.7 and 1043, relating to the Worker's Compensation laws of this state.

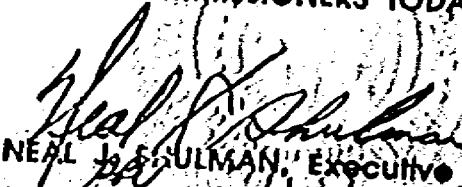
6. The application is granted as set forth above.  
This order is effective today.

Dated January 21, 1992, at San Francisco, California.

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

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

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NEAL J. SULMAN, Executive Director

Appendix PSC-7409

Yasuo Suzuki  
and  
Athanasios Sakellariopoulos

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-7409

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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 92-01-044,  
dated January 21, 1992, of the Public Utilities Commission of  
the State of California in Application 91-10-047.

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

Athanasios Sakellariopoulos and Yasuo Suzuki 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 description is 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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