

Mailed

Decision 92-02-049 February 20, 1992

FEB 20 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Michael Anthony Cariglino and KDF
 Reynolds, a partnership, doing
 business as Designated Driver Group
 for authority to operate as a
 Passenger Stage Corporation between
 points in Alameda, Contra Costa,
 and San Francisco Counties to the
 Oakland International Airport.
 Also between points in Alameda and
 Contra Costa Counties, to the
 San Francisco International Airport.

ORIGINAL

Application 91-10-067
 (Filed October 29, 1991)

OPINION

Michael Anthony Cariglino and KDF Reynolds, a partnership doing business as Designated Driver Group, requests authority under Public Utilities (PU) Code § 1031 et seq. to establish and operate on-call passenger stage corporation service for the transportation of passengers and their baggage between points in Alameda, Contra Costa, and San Francisco Counties, on the one hand, and Oakland International Airport, on the other hand. Authority is also requested for service between points in Alameda and Contra Costa Counties, on the one hand, and San Francisco International Airport, on the other hand.

Applicants allege that they will commence service with two vehicles, if a certificate is granted: A 1987 Dodge eight-passenger van and a 1988 Dodge eight-passenger van.

The application states that applicants received a charter-party carrier of passengers' permit (TCP-7105-P) on March 20, 1991 and that they currently operate as a sub-carrier for Lorrie's Travel Tours, Inc. (PSC-1003), resulting in their familiarity with airport access service.

A financial sheet attached to the application shows assets of \$31,925, including \$5,000 cash in bank, and current liabilities of \$15,000 as of September 1, 1991.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of November 25, 1991. No protests have been received.

On December 24, 1991, Transportation Division filed its Advice of Participation stating, in part, as follows:

"This application requests new authority to serve Oakland and San Francisco International Airports from points in Alameda, Contra Costa, and San Francisco counties. Applicants will not provide service between San Francisco and SFO.

"Staff recommends that in the absence of any protest, the application be granted by ex-parte order."

Findings of Fact

1. Applicants have the ability, equipment, and financial resources to perform the proposed service.
2. Public convenience and necessity require the proposed service.
3. As no protest to the application has been received from any public transit operator serving applicants' proposed territory or from any other person or corporation, this order should be effective immediately.
4. The proposed service will have no significant effect on the environment.

Conclusion of Law

Public convenience and necessity require that the requested certificate 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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Michael Anthony Cariglino and KDF Reynolds, doing business as Designated Driver Group, authorizing them 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-7105, 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 their 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 they

have 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. Applicants 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 is effective today.

Dated February 20, 1992, at San Francisco, California.

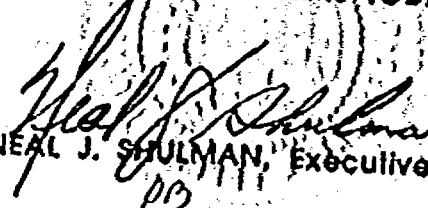
DANIEL Wm. FESSLER
President

JOHN B. OHANIAN

NORMAN D. SHUMWAY
Commissioners

Commissioner Patricia M. Eckert,
being necessarily absent, did
not participate.

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


NEAL J. SHULMAN, Executive Director
PD

Appendix PSC-7105

Michael Anthony Cariglino
and
KDF Reynolds

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
PSC-7105
TO OPERATE AS A
PASSENGER STAGE CORPORATION

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

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 by California Public Utilities Commission.

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T/APH/jpk

Appendix PSC-7105

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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS.

Michael Anthony Cariglino and KDF Reynolds, a partnership, 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 (SFO) and Oakland (OAK) International Airports, 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 either at SFO or OAK.
- 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. Service between SFO and the City of San Francisco is not authorized.

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SECTION II. SERVICE AREAS.

Area A

Various home/hotel/office locations in the following cities and communities of Alameda, Contra Costa, and San Francisco Counties.

Alameda
Albany
Berkeley
Castro Valley
Concord
El Cerrito
Emeryville
Fremont

Hayward
Kensington
Lafayette
Newark
Oakland
Orinda
Piedmont
Pleasant Hill

Richmond
San Leandro
Union City
Walnut Creek
San Francisco

Area B

Various home/hotel/office locations in the following cities and communities of Alameda and Contra Costa Counties.

Alameda
Albany
Berkeley
Castro Valley
Concord
El Cerrito
Emeryville
Fremont

Hayward
Kensington
Lafayette
Newark
Oakland
Orinda
Piedmont
Pleasant Hill

Richmond
San Leandro
Union City
Walnut Creek
Oakland Airport

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SECTION III. ROUTE DESCRIPTIONS.

Route 1--Via the most convenient streets and highways between
the Oakland International Airport and Service Area A.

Route 2--Via the most convenient streets and highways between
the San Francisco International Airport and Service
Area B.

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