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Decision 92-03-012 March 11, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

ORIGINAL

Application 91-12-033 (Filed December 17, 1991)

O P I N I O N

Peter Stojka, doing business as Peter's Airport Shuttle (applicant), seeks authority to operate between points in the City and County of San Francisco, on the one hand, and Oakland International Airport, on the other hand.

Proposed initial fares will be \$15 per passenger one-way. Applicant proposes to perform an on-call, door-to-door service on a 24 hours per day, seven days per week basis. Passengers will be picked up and delivered at points within San Francisco and at the airport, and pickups will be made pursuant to telephone calls received from the public. To be assured of a timely service, three hours' advance notice for a pickup will be required.

Applicant now operates as a charter party carrier under TCP-6438-P and a passenger stage corporation under PSC-6438. Applicant's vehicles include a 1986 11-passenger Dodge van, a 1989 eight-passenger Ford van, and a 1986 10-passenger Dodge van. The initial Oakland Airport operation will be conducted with these vehicles; however, additional vehicles may be acquired in the future as needed.

Applicant will cover its existing and subsequently acquired vehicles with liability insurance in amounts required by General Order No. 101-C. Applicant's vehicles will be garaged,

serviced, and maintained at its service facility in San Francisco. Servicing and maintenance will be performed by applicant, his employees and, as necessary, by outside contractors. Applicant alleges that he has sufficient financial resources to institute and operate the proposed service.

Applicant alleges that public convenience and necessity require grant of the authority requested by the application because:

1. The passenger traffic between points in the City and County of San Francisco and the Oakland International Airport is increasing substantially and this growth is expected to continue in the foreseeable future.
2. Applicant will meet the need for a service that employs drivers that speak foreign languages. Applicant speaks four foreign languages and other drivers to be employed will be fluent in multiple languages. The San Francisco area has a large population of Russian, Slavic, and Latin speaking persons, many of whom experience difficulties conversing in English. They also have friends and relatives traveling to and from this area who are not capable of speaking English and require transportation service using drivers who can converse in other languages.

Applicant claims his service will be capable of meeting the needs of the general traveling public and foreign travelers. Applicant asserts that he is experienced, competent, and capable to provide this airport service as he has been operating between San Francisco and airports in the Bay Area under his existing authorities.

The application was noticed on the Daily Calendar on January 6, 1992. There are no protests. The application should be granted.

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. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion of Law

Public convenience and necessity have been demonstrated 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 Peter Stojka, authorizing him to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, to transport persons and baggage, between the points and over the routes set forth in Appendix PSC-6438 of Decision 91-09-010, is amended by replacing Original Pages 2 and 3, with First Revised Pages 2 and 3.
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 79, 98, 101, and 104, 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. Applicant shall comply with PU Code §§ 460.7 and 1043 relating to the Workers' Compensation laws of this state.

4. Prior to initiating service to any airport, applicant shall notify the airport authority involved. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by both this Commission and the airport authority involved.

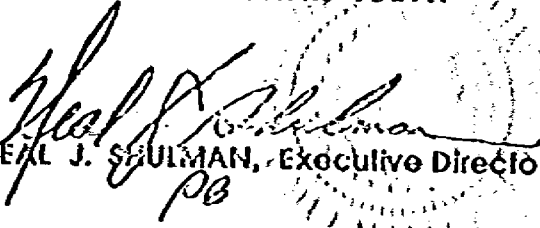
5. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that he has evidence of insurance on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

This order is effective today.

Dated March 11, 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


NEAL J. SCHULMAN, Executive Director

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

Peter Stojka, an individual, by the *revised 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 routes described in Section III, subject, however, to the authority of this Commission to change or modify the routes 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 either 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.

Issued by California Public Utilities Commission.

*Revised by Decision 92-03-012, Application 91-12-033.

Appendix PSC-6438

Peter Stojka

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SECTION II. SERVICE AREA.

San Francisco City and County

SECTION III. ROUTE DESCRIPTION.

ON -CALL SERVICE

Route 1 - SAN FRANCISCO INTERNATIONAL AIRPORT

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.

Route 2 - *OAKLAND INTERNATIONAL AIRPORT

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

Issued by California Public Utilities Commission.

*Revised by Decision 92-03-012, Application 91-12-033.