

Mailed

Decision 92-05-015 May 8, 1992

MAY 8 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Stan & Svetlana Stukov, dba the Best)
Airport Shuttle, for authority to)
operate as a passenger stage company)
between points in San Francisco, San)
Mateo, Santa Clara, Napa, Santa)
Cruz, Alameda, Sonoma, Marin, and)
Solano Counties on one hand, and San)
Francisco, San Jose, and Oakland)
International Airports on the other)
hand.)

Application 91-09-055
(Filed September 23, 1991)

O P I N I O N

Stan and Svetlana Stukov, doing business as the Best Airport Shuttle, seek authority under Public Utilities (PU) Code § 1031 et seq. to operate on-call, door-to-door transportation service between certain points in San Francisco, San Mateo, Santa Clara, Alameda, and Marin Counties, and the San Francisco, San Jose, and Oakland International Airports.

Applicant also proposes to provide medical or other types of emergency service on request anywhere within the state.

Applicant proposes to use Dodge and Plymouth vans with capacity not exceeding nine passengers. Applicant currently owns two passenger vans, a Dodge with seven passenger capacity and a Plymouth with six passenger capacity. Applicant will expand the fleet as demand warrants. Service will be provided 24 hours a day, seven days a week.

Applicant proposes one-way fares ranging from \$9 to \$22.

Applicant alleges that the proposed service is unique by virtue of applicant's fluency in Russian. Attached to the application are letters from businesses, public organizations, private citizens and students, expressing support for the proposed service.

The unaudited balance sheet attached to the first amendment to the application indicates a net worth of \$159,000.

Notice of filing of the application appeared in the Commission's Daily Transportation Calendar on October 4, 1991. Applicant was notified of deficiencies by letter of November 8, 1991 from Tom Enderle of the Transportation Division (TD). The first amendment to the application was filed on November 27, 1991 to correct the deficiencies. Notice of filing of the first amendment appeared in the Commission's Daily Transportation Calendar on December 13, 1991. Applicant was notified of further deficiencies by Administrative Law Judge Ruling of February 7, 1992. A second amendment to the application was filed on February 18, 1992 to correct those deficiencies. Notice of filing of the second amendment appeared in the Commission's Daily Transportation Calendar on February 26, 1992. The application and amendments were forwarded by applicant to the three airport authorities, and to the County Clerks of the eight counties applicant originally proposed to serve.

The Commission has received no protests or requests for hearing; therefore, a hearing is not necessary. The TD recommends that in the absence of protest, the application, as amended, be granted by ex parte order.

The moratorium for San Francisco International Airport imposed by Resolution TEA-1 does not affect this application; it affects filings received after November 6, 1991.

Regarding applicant's request to provide medical and emergency services, those services fall within the classification of "medical transportation vehicle" under PU Code § 226(d), and are not subject to the Commission's jurisdiction. The certificate we will issue and the tariffs and timetables to be filed will cover only the Commission's jurisdictional transportation.

As noted in the application, the availability of the proposed service should benefit the environment and the public through the resultant reduction of private vehicles on the road.

Findings of Fact

1. Applicant requests authority to provide on-call, door-to-door transportation service between certain points in San Francisco, San Mateo, Santa Clara, Alameda, and Marin Counties with zip codes indicated in Exhibit B-1 attached to the first amendment and the second amendment to the application, and the San Francisco, San Jose, and Oakland International Airports.
2. No protests or requests for hearing have been received.
3. No protest to the application has been received from any public transit operator serving the territory applicant proposes to serve.
4. Public convenience and necessity require that the proposed service be established.
5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. Public convenience and necessity have been demonstrated and the application should be granted as set forth in the following order.
2. Applicant's operation, at least in part, will not be that of a medical transportation vehicle.
3. The order should be effective on the date signed because public convenience and necessity require prompt commencement of the proposed service.

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 features 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 Stan and Svetlana Stukov, doing business as the Best Airport Shuttle, authorizing them to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in the attached Appendix PSC-7541, to transport passengers and their 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.
- 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 § 403 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 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 is effective today.

Dated May 8, 1992, at San Francisco, California.

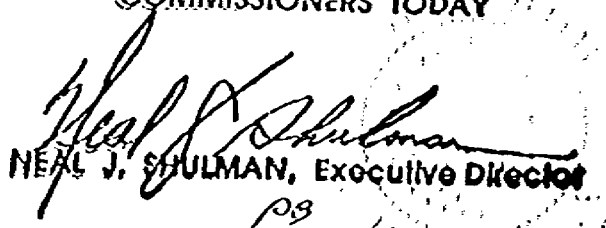
DANIEL Wm. FESSLER
President

JOHN B. OHANIAN

PATRICIA M. ECKERT

NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SHULMAN, Executive Director

Appendix PSC-7541 Stan and Svetlana Stukov Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-7541

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 92-05-015,
dated May 8, 1992, of the Public Utilities Commission of
the State of California in Application 91-09-055.

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Issued by California Public Utilities Commission.

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

Stan and Svetlana Stukov, 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), Oakland (OAK), and San José (SJC) 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 at either SFO, OAK, or SJC.
- 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 AREAS.

In the following areas designated by U.S. Postal zip codes, except as otherwise specified:

San Mateo County

Daly City: 94015

Millbrae : 94030

Burlingame: 94010

El Granada: 94018

Pacifica: 94044

Portola Valley: 94025

Menlo Park: 94025

Brisbane: 94005

South San Francisco: 94083

San Mateo: 94401-94404

Belmont: 94002

Half Moon Bay: 94019

Santa Clara County:

Palo Alto: 94301-94306

Los Altos: 94022-94024

San Jose: Any point that is within the city limits of San Jose.

Mountain View: 94035

Alameda County

Fremont: 94043

Union City: 94587

San Lorenzo: 94580

Alameda: 94501

Piedmont: 94611

Oakland: Any point that is within the city limits of Oakland.

Hayward: 94552

San Leandro: 94577-94579

Castro Valley: 94552

Berkeley: 94703; 94705;

94709

Contra Costa County

Richmond and San Pablo: 94801-94804

Concord and Pleasant Hill: 94518-94521

Marin County

Mill Valley: 94941

Tiburon: 94920

San Rafael: 94901

San Anselmo: 94960

Sausalito: 94965

San Francisco County

Any point that is within the city limits of San Francisco.

San Francisco, Oakland, and San Jose International Airports.

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SECTION III. ROUTE DESCRIPTIONS.

ON -CALL SERVICE

Route 1

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

Route 2

Between San Francisco, Oakland and San Jose International Airports.

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