

Mailed

Decision 92-05-052 May 20, 1992

MAY 20 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
South Bay Airport Shuttle, Inc. for )  
the transfer of passenger stage )  
authority PSC-5196 pursuant to )  
Sections 851 and 854 of the Public )  
Utilities Code. And in the matter )  
of the application of South Bay )  
Airport Shuttle, Inc., to amend its )  
Certificate of Public Convenience )  
and Necessity as a passenger stage )  
to add a door-to-door service )  
between Contra Costa County and San )  
Francisco, Oakland, and San Jose )  
airports and vice versa. )

ORIGINAL

Application 92-02-021  
(Filed February 7, 1992)

O P I N I O N

South Bay Airport Shuttle, Inc. (applicant) desires to do business under the name South and East Bay Airport Shuttle, Inc. It seeks to transfer its certificate of public convenience and necessity to a new entity called South Bay Airport Shuttle, Inc., doing business as South and East Bay Airport Shuttle, Inc. Applicant presently serves San Francisco Airport, Oakland Airport, and San Jose Airport from points in Santa Clara, San Mateo, and Alameda counties. Applicant also seeks to amend its certificate of public convenience and necessity to add service to Contra Costa County. Applicant alleges that it has received numerous requests for service to Contra Costa County. Applicant currently operates ten Dodge vans in its present service and states that it has sufficient equipment to provide the proposed service. Applicant's financial statement shows it has the financial ability to perform the proposed service. Fares will range from \$34 to \$99 per person, depending on points served.

When a corporation seeks a certificate the Commission will issue it in the corporate name, not in the name it may do

business under if different. Therefore, as applicant, South Bay Airport Shuttle, Inc. already has a certificate. It needs no further authority from us to operate under the name South and East Bay Airport Shuttle, Inc. We will deny the request to transfer. We will, however, grant the request to serve Contra Costa County.

Notice of the application was served according to the Commission's Rules and was published in the Commission's Daily Calendar on February 21, 1992. There were no protests. A public hearing is not necessary.

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 deemed 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.

Conclusions of Law

Public convenience and necessity have been demonstrated and applicant's certificate of public convenience and necessity should be restated to add Contra Costa County.

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 South Bay Airport Shuttle, Inc. (applicant) authorizing

it 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-5196 of Decision 91-02-014 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 timetable within 120 days after this order is effective;
- c. State in its tariffs and timetable 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; and
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. 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.

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

5. The request to transfer its certificate to South Bay Airport Shuttle, Inc., doing business as South and East Bay Airport Shuttle, Inc. is denied. The application is otherwise granted.

This order is effective today.

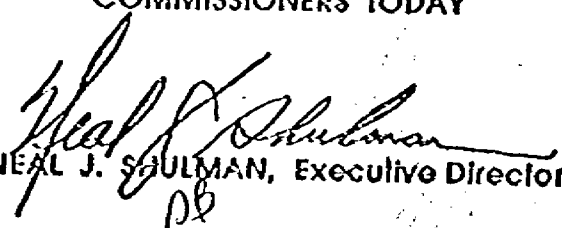
Dated May 20, 1992, at San Francisco, California.

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  
pb

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

This certificate supersedes all passenger stage operative authority granted to Behzad Fatemi.

South Bay Airport Shuttle, Inc., a California corporation, 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 cities in Santa Clara County, certain points in the counties of San Mateo, and Alameda as described in Section II, on one hand, and the San Francisco (SFO), San Jose (SJC), and Oakland (OAK) International Airports, on the other hand, and between \*Contra Costa County on one hand, and SJC and OAK, on the other hand, subject, however, to the authority of this Commission to change or modify this authority 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, SJC, 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 92-05-052, Application 92-02-021.

SECTION II. SERVICE AREAS.

Cities in the County of Santa Clara.

Cities and Communities in San Mateo County

Atherton, Belmont, Brisbane, Burlingame,  
Colma, Daly City, East Palo Alto, Foster  
City, Half Moon Bay, Hillsborough, Menlo  
Park, Millbrae, Pacifica, Portola Valley,  
Redwood City, San Bruno, San Mateo, South  
San Francisco, and Woodside.

Cities and Communities in Alameda County

Alameda, Albany, Berkeley, Dublin,  
Emeryville, Fremont, Hayward, Livermore,  
Newark, Oakland, Piedmont, Pleasanton,  
and San Leandro.

\*County of Contra Costa

SECTION III. ROUTE DESCRIPTION.

Route 1 Santa Clara

Commencing from any city located in the County of  
Santa Clara, then to either SFO, SJC or OAK.

Route 2 - San Mateo

Commencing from any city or community listed in  
Section II, then to either SFO, SJC or OAK.

Route 3 - Alameda

Commencing from any city or community listed in  
Section II, then to either SFO, SJC or OAK.

\*Route 4 - Contra Costa

Commencing from any city or community in Contra Costa  
County, then to either SJC or OAK.

Issued by California Public Utilities Commission.

\*Revised by Decision 92-05-052, Application 92-02-021.