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Decision 92-06-005 June 3, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Public Shuttle for Certificate )  
of Public Convenience and Necessity )  
to operate as an "on-call" Passenger )  
Stage Carrier between points in San )  
Diego County and Downtown San Diego. )

**ORIGINAL**  
Application 91-10-071  
(Filed October 25, 1991)

O P I N I O N

Mohammad Ezami-Ebrahimi (applicant), doing business as Public Shuttle, seeks authority under Public Utilities (PU) Code § 1031 et seq. to operate on-call, door-to-door transportation service between the San Diego International Airport, downtown San Diego, including the Santa Fe Amtrak Depot, the Greyhound Bus Terminal and the B Street Cruise Ship Terminal, and homes, places of business and commercial and industrial establishments throughout San Diego County.

Applicant proposes to use five 8-passenger vans. Service will be provided 7 days a week, 24 hours a day. The vans will be garaged at 16392-E Avenida Venusto in San Diego.

Applicant proposes one-way fares ranging from \$4 to \$109 for the first passenger; rates for additional passengers within the same party range from \$4 to \$8. Children under 10 years of age and accompanied by a fare-paying adult are carried free.

Applicant alleges that the proposed service is needed due to the increasing traffic congestion and air pollution in San Diego County, and lack of sufficient public transportation services to meet the growing demands of the area, based on information from the County of San Diego, the Air Pollution Control District, the County Van Pool Service, and the San Diego International Airport.

The unaudited balance sheet shows a net worth for applicant of approximately \$142,000 on October 18, 1991.

Notice of filing of the application appeared in the Commission's Daily Transportation Calendar on December 3, 1991. Notice of filing of the First Amendment to the Application appeared in the Commission's Daily Transportation Calendar on February 26, 1992. The application and amendment were forwarded to the Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, and Vista, the Port of San Diego, Chula Vista Transit, County Transit, Metropolitan Transit Development Board, North County Transit, San Diego Transit, National City Transit, San Diego Trolley, Amtrak, and Greyhound.

The Commission has received no protests; therefore, a hearing is not necessary.

The availability of the proposed service should benefit the environment and the public by the resultant reduction of private vehicles on the road.

Findings of Fact

1. Applicant served a copy of the application by mail upon each public transit operator operating in the territory applicant seeks to serve.
2. Notice of filing of the application appeared in the Commission's Daily Transportation Calendar on December 3, 1991.
3. Notice of filing of the amendment to the application appeared in the Commission's Daily Transportation Calendar on February 26, 1992.
4. No protests have been filed.
5. No protest to the application has been received from any public transit operator serving the territory applicant proposes to serve.
6. Applicant has the financial resources to perform the proposed services.

7. It can be seen with certainty that there is no possibility that the proposed service will have a significant adverse impact on the environment.

8. A public hearing is not necessary.

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. This 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 Mohammad Ezami-Ebrahimi, doing business as Public Shuttle, authorizing him to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-7632, to transport persons and 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 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 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.

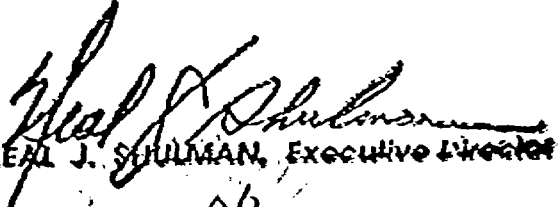
4. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that his evidence of insurance is on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

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 June 3, 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

T/MEE/ebi

Appendix PSC-7632

Mohammad Ezami-Ebrahimi

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-7632

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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 92-06-005, dated  
June 3, 1992 of the Public Utilities Commission of the  
State of California in Application 91-10-071.

I N D E X

	<u>Page</u>
SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.....	2
SECTION 2. SERVICE AREA DESCRIPTION.....	3
SECTION 3. ROUTE DESCRIPTIONS.....	3

Issued by California Public Utilities Commission.

Decision 92-06-005, Application 91-10-071

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

Mohammad Ezami-Ebrahimi, 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, door-to-door basis, between points in San Diego County, described in Section 2, on the one hand, and the San Diego International (SAN), downtown Santa Fe Train Depot (Amtrak Station), Greyhound Bus Terminal (Greyhound Station) and B Street Cruise Ship Terminal, on the other hand, over and along the routes described in Section 3, subject, however, to the authority of this Commission to change or modify the routes at any time and subject to the following provisions:

- (a) 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 the airport authority involved.
- (b) When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- (c) No passengers shall be transported except those having a point of origin or destination at SAN, Amtrak Station, Greyhound Station or B Street Cruise Ship Terminal.
- (d) The term "on-call" as used refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs shall show the conditions under which each authorized on-call service will be provided, and shall include the description of the boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.

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SECTION 2. SERVICE AREA DESCRIPTIONS.

San Diego County

All points within the geographical limits of San Diego County.

SECTION 3. ROUTE DESCRIPTIONS

On-call, door-to-door, service

Commencing at SAN, Amtrak Station, Greyhound Station or B Street Cruise Ship Terminal, then via the most convenient streets and highways to any point within the service area described in Section 2.

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