

JUL. 6 1995

Decision 95-07-007 July 6, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of the Sonoma Airporter, Inc.,)
 a California Passenger Stage)
 Corporation, to transfer control)
 from Warren I. and Jeannette M.)
 Jaycox, and Flo Beth and Raymond M.)
 White to Leslie A. Wheeler.)

Application 95-03-062
 (Filed March 31, 1995)

ORIGINAL

O P I N I O N

Sonoma Airporter, Inc. (transferor or Airporter) and Leslie A. Wheeler (transferee), request authority under Public Utilities Code § 854 et seq. for the transferor to transfer all assets and the operating rights as stated in PSC-1120, to the transferee. PSC-1120 was granted by Decision 92565 dated December 30, 1980, in Application 60003. Under that authority, transferor currently provides transportation for passengers and their baggage from points in Sonoma County to the San Francisco International Airport.

The stock of transferor is totally owned by four persons: Warren I. and Jeannette M. Jaycox, and Flo Beth and Raymond M. White, who wish to sell this business in order to pursue other business and personal interests, not related to or in competition with Airporter.

Transferee has been involved in the daily operations of Airporter since he has been a director and first vice president of Airporter since February 1, 1995.

The operations after the transfer will continue the same as currently with the same rates, equipment, and service areas.

Under the terms of the transfer agreement, transferor will turn over all 250 outstanding shares of common stock of

Airporter for a price of \$68,000. All liabilities of Airporter, except the lease obligations on the three 1992 Ford vans, will be reduced to zero on the date of close of escrow. Transferee will remit to transferor any income received after close of escrow that was earned prior to close of escrow. Transferor will remit to transferee any expense paid by Airporter after close of escrow which was incurred prior to close of escrow.

The unaudited balance sheet attached to the application shows assets and liabilities of \$9,338.34 on February 28, 1995, and a net income of negative \$696.61 for the period January 1, 1995 to February 28, 1995.

The unaudited personal financial statement of transferee Wheeler shows a net worth of approximately \$512,000 on February 28, 1995.

Notice of filing of the application appeared in the Commission's Daily Calendar on April 18, 1995.

No protests to the application have been received; therefore, a hearing is not necessary.

We find that the transferee has the financial resources and experience to perform the service now provided by the transferor and that there will be continuity of operations and service if the application is granted.

Findings of Fact

1. Transferor is operating as a passenger stage corporation pursuant to certificate of public convenience and necessity PSC-1120.

2. Applicants have not proposed any changes in operations, schedules, or fares of transferor in connection with the transfer.

3. Transferee has the experience to perform the proposed operations.

Conclusions of Law

1. The proposed transfer is in the public interest and should be authorized. A public hearing is not necessary.

2. Since the transfer is dependent on Commission approval and the matter is noncontroversial, the order should be made effective on the date signed.

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. Pursuant to Public Utilities Code § 854(a), Leslie A. Wheeler is authorized to acquire and control Sonoma Airporter, Inc., through the purchase of all the outstanding shares of common stock in the corporation from Warren I. and Jeannette M. Jaycox, and Flo Beth.

2. Within fifteen (15) days of the date the transaction closes, Leslie A. Wheeler shall notify the Safety and Enforcement Division in writing thereof.

3. The authority granted by this order shall lapse unless it is exercised on or before October 1, 1995.

This order is effective today.

Dated July 6, 1995, at San Francisco, California.

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
Commissioners

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

Wesley Franklin
Acting Executive Director