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Decision 95-11-046 November 21, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of North Shuttle Service, Inc., for authority to operate as a passenger stage corporation between points in the San Francisco, San Mateo, Santa Clara, Alameda, Marin, and Contra Costa Counties and the San Francisco, Oakland and San Jose International Airports.

Application 93-11-037116
 (Filed November 12, 1993;
 amended February 3, 1994;
 and February 16, 1995)

Public convenience and necessity have been demonstrated and a certificate should be issued to the applicant. A public hearing is not necessary.

North Shuttle Service, Inc., a California corporation, doing business as Yellow Airport Express requests authority under Public Utilities (PU) Code § 1031 et seq. to provide as a passenger stage corporation, an on-call, door-to-door service between points in the San Francisco, San Mateo, Santa Clara, Marin, Alameda, and Contra Costa Counties, on the one hand, and San Francisco, San Jose, and Oakland International Airports, on the other hand.

Staff of the Commission's Safety and Enforcement Division discovered deficiencies in the original application which were communicated to applicant. Amendments were filed on February 3, 1994 and February 16, 1995. Staff filed its second supplemental advice of participation on October 17, 1995 in which it recommended that the application, as amended, be granted.

The original application appeared on the Commission's Daily Transportation Calendar of December 1, 1993, and no protests have been received.

Establish the authorized service and tariff and timetables within 120 days after this order is effective.

State in its tariffs and timetables when service will start; allow at least 10 days notice to the Commission; and take



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Findings of Fact

1. Applicant has the ability, equipment, and financial resources to perform the proposed service.
2. As no protests have been filed, this order should be effective immediately.
3. 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 a certificate should be granted to applicant.
2. A public hearing is not necessary.

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 North Shuttle Service, Inc. (applicant) authorizing it to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, between the points and over the routes set forth in Appendix PSC-8939, 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 tariff and timetables 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

timetable 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 its 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 Workers' Compensation laws of this state.

6. The application is granted as set forth above.
This order is effective today.

Dated November 21, 1995, at San Francisco, California.

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

T/MM

Appendix PSC-8939 North Shuttle Service, Inc. Original Title Page
(a corporation)

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-8939

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 95-11-046 , dated November 21, 1995 ,
of the Public Utilities Commission of the State of California in
Application 93-11-037.

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Appendix PSC-8939

North Shuttle Service, Inc.
(a corporation)

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Issued by California Public Utilities Commission.

Decision 95-11-046 , Application 93-11-037.

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

North Shuttle Service, Inc., a 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 points described in Section IIA, on the one hand, and the airports described in Section IIB, on the other hand, 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 either a point of origin or destination at one of the airports described Section IIB.
- 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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Decision 95-11-046, Application 93-11-037.

SECTION II. SERVICE AREAS.

- A. Any point or place within the following counties:

Santa Clara, San Mateo, Contra Costa,
Alameda, Marin, and San Francisco.

- B. San Francisco International Airport
San Jose International Airport
Oakland International Airport

SECTION III. ROUTE DESCRIPTION.

ON -CALL SERVICE

Commencing from any point or place in the counties
described in Section IIA then over the most convenient streets and
highways to any of the airports described in Section IIB.

Issued by California Public Utilities Commission.

Decision 95-11-046, Application 93-11-037.