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Decision 95-12-004 December 6, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Amendment of the Application of)
Paul Stuart Bobrow dba Marin)
Door to Door Airport Shuttle Service)
for the transfer of Passenger Stage)
Authority (PSC 6715) to Marin Door)
to Door, Inc. and new owners: Greg)
McCord and Gary Gross.)

Application 95-06-045
(Filed June 19, 1995)

O P I N I O N

Paul Stuart Bobrow, doing business as Marin Door to Door Airport Shuttle Service (transferor), seeks authority under Public Utilities (PU) Code § 854 et seq. to transfer all assets and operating rights as stated in PSC-6715, to Marin Door to Door, Inc., a California corporation (transferee). The transfer of PSC-6715 is also subject to PU Code § 1036. Under PSC-6715, transferor currently provides airport shuttle transportation for passengers and their baggage between San Francisco International Airport and Marin County.

Transferor desires to pursue other interests.

Transferee is a newly formed California corporation; McCord and Gross each own a 50% share of the corporation. McCord and Gross currently own and operate Radio Cab Service, Yellow Cab Service, Bellaire Cab Service, and Kids on the Move Charter Service, all serving Marin County. Transferee wishes to operate this successful airport shuttle service, which they believe will be convenient to customers in general and to its current charter and taxicab services customers.

Transferee will to use the nine Ford vans of model years 1992 through 1995 now used by transferor.

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

Under the asset purchase agreement, transferor will turn over all assets of Marin Door to Door Airport Shuttle Service, including nine leased vehicles, for a total purchase price of \$460,000, to be paid in installments.

The unaudited balance sheet of transferor shows assets and liabilities of \$186,049 and a net equity of \$51,049 on January 1, 1995, and a net income of \$9,345 during calendar year 1994.

The unaudited balance sheet for transferee McCord shows total assets and liabilities of \$1,850,000 and a net worth of \$1,350,000 on September 19, 1995.

The unaudited balance sheet for transferee Gross shows total assets and liabilities of \$705,930 and a net worth of \$546,730 on September 20, 1995.

Notice of filing of the application appeared in the Commission's Daily Calendar on July 10, 1995.

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

We find that 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-6715.
2. Applicants have not proposed any changes in operations, schedules, or fares of transferor in connection with the transfer.
3. Transferees have 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. By January 31, 1996, Paul Stuart Bobrow, an individual (transferor), may sell the operative rights specified in the application to Marin Door to Door, Inc., a California corporation (transferee).

2. Transferee shall:

- a. File a written acceptance with the Safety and Enforcement Division of the certificate and a copy of the bill of sale or other transfer document within 30 days after the transfer.
- b. Amend or reissue transferors' tariffs and timetables, state in them when the service will start, make them effective 10 or more days after this order is effective, and allow at least 10 days' notice to the Commission.
- c. Comply with General Orders Series 101, 104, and 158, and the California Highway Patrol (CHP) safety rules.
- d. Maintain accounting records in conformity with the Uniform System of Accounts.

- e. Remit to the Commission the Transportation Reimbursement Fee required by Public Utilities (PU) Code § 403 when notified by mail to do so.
- f. Transferee shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

3. If the sale is completed, on the effective date of the tariff a certificate of public convenience and necessity (CPCN) is granted to transferee, 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-10110, to transport persons and their baggage.

4. The CPCN granted by Decision 90-11-065 is revoked on the effective date of the tariffs filed by the transferee.

5. Before beginning service to any airport, transferee shall notify the airport's governing body. Transferee shall not operate into or on airport property unless such operations are also authorized by the airport's governing body.

6. Transferee is authorized to begin operations on the date that the Executive Director mails a notice to transferee that its evidence of insurance is on file with the Commission and that the CHP has approved the use of transferee's vehicles for service.

7. The application is granted as set forth above.

This order is effective today.

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

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

Appendix PSC-10110

Marin Door to Door, Inc.
(a corporation)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-10110

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.

Supersedes authority heretofore granted to
Paul Stuart Bobrow, an individual
by D.90-11-065.

Issued under authority of Decision 95-12-004, dated December 6,
1995, of the Public Utilities Commission of the State of California
in Application 95-06-045.

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Issued by California Public Utilities Commission.

Decision 95-12-004, Application 95-06-045.

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

This certificate supersedes all passenger stage operative authority granted to Paul Staurt Bobrow, an individual.

Marin Door to Door, 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 Marin County and San Francisco International Airport (SFO), over and along the route described in Section II, 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 description is given in one direction, it applies 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 have a point of origin or destination at SFO.
- 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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(a corporation)

SECTION III. ROUTE DESCRIPTION.

Commencing from any point or place in Marin County,
then over the most convenient streets and highways to SFO.

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