

JUN 6 1996

Findings of Fact

Decision 96-06-007 June 6, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of J&J WMS Enterprises/NEED-A-RIDE, a privately owned business for the authority to operate as a Passenger Service within San Mateo County and City of Palo Alto.

Application 96-03-036 (Filed March 20, 1996)

ORIGINAL

OPINION

Jack E. Williams (applicant), an individual, requests

authority pursuant to Public Utilities Code § 1031, et seq., to establish and operate as a passenger stage corporation an on-call service to transport passengers and their baggage between specific cities and communities in the County of San Mateo.

Applicant proposes to provide on-call service five days a week utilizing a seven-passenger van. Applicant proposes to service between the cities or communities in San Mateo as

specifically indicated in Exhibit C, attached to the application.

Applicant intends to transport senior citizens, persons with medical appointments, or who demand a faster service than that provided by public transportation. Applicant projects that he will

generate as much as \$74,957 in gross revenue. The expected operating expense is \$57,790 and a net income of \$17,167. The proposed fares are shown in Exhibit "C", attached to his application.

Notice of filing of the application appeared in the Commission's Daily Calendar on March 21, 1996. The applicant notified SAMTRANS, taxi cab operators in San Mateo, Los Gatos and Redwood City, the affected cities and governmental entities. The Safety and Enforcement Division recommends that the application be granted.

11/11/96

Findings of Fact

1. Applicant requests authority to establish and operate as a passenger stage corporation, on-call service, to transport passengers and their baggage between certain points in the county of San Mateo, as specified in Exhibit C, attached to the application.
2. Public convenience and necessity require the issuance of a certificate to perform the proposed service.
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. A public hearing is not necessary.
  2. Public convenience and necessity have been demonstrated and the application should be granted to authorize service between the points in the County of San Mateo as specified in Exhibit C, attached to the application.
  3. Since there is no formal objection filed with the Commission to the application, this decision should be effective on the date it is 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.

ORDER

IT IS ORDERED that:

A certificate of public convenience and necessity is granted to Jack B. Williams (applicant) as an individual, authorizing him to operate as a passenger stage corporation, as defined in Redwood City, the affected cities and governmental entities. The Safety and Enforcement Division recommends that the application be granted.

Public Utilities (PU) Code § 226, to transport persons and their baggage, between the points and over the routes set forth in the Appendix PSC-10382, subject to the conditions contained in the following paragraphs.

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 the 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 (CHP) safety rules.
- e. Comply with the controlled substance and alcohol testing certification program pursuant to PU Code § 1032.1 and General Order Series 158.
- f. Maintain accounting records in conformity with the Uniform System of Accounts.
- g. Remit to the Commission the Transportation Reimbursement Fee required by PU § 403 when notified by mail to do so.
- h. Comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

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 CHP has approved the use of applicant's vehicles for service.

The application is granted as set forth above.

This order is effective today.

Dated June 6, 1996, at San Francisco, California.

This written acceptance of this certificate within 30 days after this order is effective.

Establish the authorized service and life tariffs within 120 days after this order.

**P. J. GREGORY CONLON**

**President**

**JESSIE J. KNIGHT, JR.**

**HENRY M. DUQUE**

**JOSIAH L. NEPPER**

**Commissioners**

allow at least 10 days' notice to the service and make tariffs and tariffs effective 10 or more days after this order is effective.

**Commissioner Daniel Wm. Pessler,**

**being necessarily absent,**

**did not participate.**

and Highway Patrol (CHP) Series 101, 102, and

Copy with the controlled substances and alcohol testing certification program pursuant to PU Code § 1032.1 and General Order Series 128.

Maintain accounting records in conformity with the Uniform System of Accounts.

Reimbursement fee required by PU § 403 when Reimbursement to the Commission the Transportation notified by rail to do so.

Copy with PU Code §§ 400.V and 1043, relating to the Workers' Compensation laws of this state.

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

T/MM

Appendix PSC-10382

Jack E. Williams  
(an individual)

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-10382

-----  
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 96-06-007,

dated June 6, 1996, of the Public Utilities Commission of the  
State of California in Application 96-03-036.

T/MM

Appendix PSC-10382

Jack E. Williams  
(an individual)

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Issued by California Public Utilities Commission.

Decision 96-06-007, Application 96-03-036.

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

Jack E. Williams, an individual, 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 "on-call" basis, between the points described in Section II, 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 description is 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 between points within any incorporated city limits.
- 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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## SECTION II. SERVICE AREAS.

Any point that is within the geographical limits of the U.S. Postal Zip Codes as follows:

<u>Cities</u>	<u>Zip Codes</u>
East Palo Alto	94303
Palo Alto	94303, 94304, 94305, 94306
Menlo Park	94025, 94026
Atherton	94027
Redwood City	94062
Portola Valley	94028
San Carlos	94070
Belmont	94002
Foster City	94404
San Mateo	94401, 94402, 94403

## SECTION III. ROUTE DESCRIPTION.

ON -CALL SERVICE

Commencing from any point or place located in the cities as described in Section II then over the most convenient streets and highways to any point or places in the cities as described in Section II, except between any point or place that are within the same incorporated city limit.

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