

Decision 96-06-008 June 6, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Firooz Ehteshamzadeh dba Westside Shuttle/Shuttle to transfer his certificate of public convenience and necessity and certain other assets to Universal Transportation Systems, Inc., a California corporation pursuant to Section 851 et seq. of the California Public Utilities Code and to obtain authority pursuant to Section 854 of the California Public Utilities Code to serve Orange County Airport.

Application 96-02-041 (Filed February 21, 1996)

ORIGINAL

It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Transferor Firooz Ehteshamzadeh, an individual, seeks authority to sell and transfer his certificate to operate a passenger stage (PSC-8994) to transferee Universal Transportation Systems, Inc. Transferee will continue the present non-scheduled operation between points in Los Angeles, Riverside, and Orange Counties and Los Angeles (LAX) and Ontario (ONT) Airports. Applicant also wishes to serve Orange County Airport (more usually referred to as John Wayne Airport or SNA).

Transferee allegedly has the ability, equipment, and financial resources to perform the proposed service. It is alleged that individuals active in the corporation have experience in airport transportation operations and that the drivers are experienced as such. It is alleged that the transfer will not adversely affect the public interest.

Notice of filing of the application appeared in the Transit Commission's Daily Calendar. In addition, notice of the filing of the application was served by applicants on cities and counties in the proposed service area and on publicly operated transit authorities. There have been no protests to the application.

Decision 96-02-008 June 20, 1996

Findings of Fact

1. Transferee has the ability, equipment, and financial resources to continue the existing and new passenger stage service between points in Los Angeles, Riverside, and Orange Counties and LAX and ONT Airports and John Wayne Airport.
2. Public convenience and necessity require service to John Wayne Airport.
3. The proposed transfer will not adversely affect the public interest.
4. No protests to the application have been filed.
5. A public hearing is not necessary.
6. 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. The application should be granted.
  2. Since the matter is uncontested, the decision should be 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.

ORDER

IT IS ORDERED that:

By August 1, 1996, Pirooz Ehteshamzadeh (transferor), may sell the operative rights specified in the application to Universal Transportation Systems, Inc. (transferee), a corporation.

A certificate of public convenience and necessity is granted to transferee authorizing it to operate as a passenger stage corporation as defined in Public Utilities (PU) Code § 226 to transport persons (and their baggage) between the points and over

the routes set forth in Appendix PSC-10451 subject to the conditions contained in the following paragraphs:

3. Transferee shall:

- a. File with the Safety and Enforcement Division a written acceptance 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 PU Code § 403 when notified by mail to do so.
- f. Comply with the controlled substance and alcohol testing certification program pursuant to PU Code § 1032.1 and General Order Series 158.
- g. Comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

4. After the sale is completed, on the effective date of the tariff, a certificate of public convenience and necessity is granted to transferee authorizing it 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-10451, to transport persons and their baggage.

5. The certificate of public convenience and necessity granted by Decision 94-10-012 is revoked on the effective date of the tariffs filed by the transferee.

6. 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.

7. 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.

8. The application is granted as set forth above.

This order is effective today.  
Dated June 6, 1996, at San Francisco, California.

*(Mirrored text from reverse side of page)*  
Commissioner Daniel Wm. Fessler,  
being necessarily absent, did not participate.  
JOSIAH LI NEEPER  
HENRY M. DUQUE  
JESSIE J. KNIGHT, JR.  
President  
GREGORY CONLON  
Commissioners

4. After the sale is completed, on the effective date of the tariff, a certificate of public convenience and necessity is granted to transferee authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix B8C-10-51, to transport persons and their baggage.

Appendix PSC-10451

Universal  
Transportation Systems, Inc.  
(a corporation)

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-10451

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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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Supersedes authority heretofore granted to  
Firooz Ehteshamzadeh  
by D.94-10-012.

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Issued under authority of Decision 96-06-008,  
dated June 6, 1996, of the Public Utilities Commission of  
the State of California in Application 96-02-041.

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Issued by California Public Utilities Commission.

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

This certificate supersedes all passenger stage operative authority granted to Firooz Ehteshamzadeh an individual.

Universal Transportation Systems, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the footer margin, is authorized to transport passengers and their baggage on an "on-call" basis, between points in Section IIA and Section IIB, 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 a point of origin or destination as described in 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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SECTION II. SERVICE AREAS.

- A. 1. Any point or place within the geographical limits of the Counties of Los Angeles and Orange.
2. Any point or place within the geographical limits in the following cities and communities of:
- a. Alta Loma, Bryn Mawr, Bloomington, Chino, Colton, Devore, Etiwanda, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino and Upland, in the County of San Bernardino.
  - b. Corona, Glen Ivy, Lake Elsinore, Mira Loma, Norco, Perris, Riverside and Sun City, in the County of Riverside.
- B. Los Angeles International Airport.  
Ontario International Airport.  
John Wayne Airport, Orange County.

SECTION III. ROUTE DESCRIPTION.

Commencing at any point as described in Section IIA, then over the most convenient streets and highways to the points as described in Section IIB.

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