

OCT 9 1996

Decision 96-10-011, October 9, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Medhat Abdel Mahgoub dba, Luxor Shuttle, for a certificate of public convenience and necessity to operate as a passenger stage corporation between all points within the Counties of San Francisco, San Mateo, Santa Clara, Alameda and Contra Costa Counties, on the one hand, and, on the other the San Francisco International Airport, Oakland International Airport, and San Jose Airport.

ORIGINAL

Application 96-07-013 (Filed July 10, 1996)

OPINION

Medhat Abdel Mahgoub (applicant), an individual, requests authority pursuant to Public Utilities Code § 1031, et seq., to establish and operate as an on-call passenger stage corporation to transport passengers and their baggage between the Cities of Berkeley, Emeryville, Oakland, Alameda, San Leandro, Castro Valley, Hayward, and San Francisco, on the one hand, and San Jose, and San Francisco, on the other hand, and San Jose International Airports, on the other hand. Applicant initially proposed to operate within the service area with 2 seven-passenger vans. In their letter dated August 13, applicant requested to reduce the service area between the Cities of Berkeley, Emeryville, Oakland, Alameda, San Leandro, Castro Valley, and San Francisco, on the one hand, and OAK, on the other. Applicant intends to add 6 additional vans after the applicant is authorized to operate the proposed service area.

on the date it is signed.

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The proposed one-way 'adult' fares shown on Exhibit B, attached to the application are reasonable. Applicant shows a net worth of \$57,000 and he projects a gross income of \$2,332 per month based on 40 passengers per day.

Notice of filing of the application appeared in the Commission's Daily Calendar on July 19, 1996. No protest has been received. The applicant notified OAK and the governmental entities. The Safety and Enforcement Division recommends that the application be granted.

Findings of Fact

1. Applicant, in the letter dated August 13, 1996, requests authority to reduce his initial proposed service, as indicated in his application. The letter requests authority to establish and operate as an on-call passenger stage corporation to transport passengers and their baggage between the Cities of Berkeley, Emeryville, Oakland, Alameda, San Leandro, Castro Valley, and San Francisco, on the one hand, and OAK, on the other.

2. Public convenience and necessity require the issuance of a certificate to perform the proposed service.

3. No protests to the application have been filed.

4. 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.

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:

1. A certificate of public convenience and necessity is granted to Medhat Abdel Mahgoub (applicant), an individual, authorizing him to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, to transport persons between the points and over the routes set forth in Appendix PSC-9828, 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.

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

g. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

h. Comply with PU Code §§ 460 and 1043 relating to the Workers' Compensation laws of this state.

3. 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.

4. The application is granted as set forth above.
5. The application is closed.

This order is effective today.

Dated October 9, 1996, at San Francisco, California.

GREGORY CONLON
President
DANIEL W. FESSLER
JESSIE J. KNIGHT, JR.

HENRY M. DUQUE
L. JOSIAH L. NEPPER
Commissioners

Comply with General Orders Series 101, 104, and 158 and the California Highway Patrol (CHP) safety rules.

Comply with the controlled substance and alcohol testing certification program pursuant to PU Code § 1032.1 and General Order Series 158.

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Appendix PSC-9828

Medhat Abdel Mahgoub
(an individual)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-9828

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 96-10-011,
dated October 9, 1996, of the Public Utilities Commission of
the State of California in Application 96-07-013.

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Issued by California Public Utilities Commission.

Decision 96-10-011, Application 96-07-013.

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

Medhat Abdel Mahgoub, an individual, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to transport passengers and their baggage on an "on-call" basis, between points and places as described in Section II, and the Oakland International Airport (OAK), over and along the route described in Section III, subject, however, to the authority of this Commission to change or modify this authority 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 at OAK.
- 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 AREA.

Points and places in the Cities of Berkeley, Emeryville, Oakland, Alameda, San Leandro, Castro Valley and San Francisco.

SECTION III. ROUTE DESCRIPTION.

Commencing from any point as described in Section II, then over the most convenient streets, expressways, and highways to OAK.

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