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Decision 96-11-008 November 6, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
 In the Matter of the Application of Sakineh Amjadi dba VIP Airport Shuttle, for transfer passenger stage corporation certificate PSC-7346, pursuant to Sections 851 and 854 of the Public Utilities Code and Zone of Rate Freedom authority to Limited Terminal Transportation, Inc.

ORIGINAL
 Application 96-07-026
 (Filed July 19, 1996)

OPINION

Applicant Sakineh Amjadi, doing business as VIP Airport Shuttle (transferor), seeks authority to incorporate her passenger stage business, by transferring her operating property and certificate to operate a passenger stage (PSC-7346), which authorizes operations between all points in the Counties of San Francisco (SFO), Santa Clara, San Mateo, Contra Costa, and Alameda, on the other hand, and SFO, Oakland (OAK), and San Jose (SJC) International Airports, on the other hand. Ms. Amjadi will control Limited Terminal Transportation, Inc. (transferee). No change in management or operations is planned.

The application also seeks to transfer the Zone of Rate Freedom (ZORF) granted to Ms. Amjadi by Decision 93-11-034. The ZORF allows rates \$10.00 above and below tariff rates with a minimum of \$3.00. Applicant's corporation will adopt Ms. Amjadi's tariffs. Since the tariffs and rules will be adopted, there is no need for special authority to transfer the ZORF authority.

Notice of filing of the application appeared in the Commission's Calendar. There have been no protests to the application.

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Findings of Fact

1. Transferee has the ability, equipment, and financial resources to perform the proposed passenger stage service between all points in the Counties of SFO, Santa Clara, San Mateo, Contra Costa, and Alameda, on the one hand, and SFO, OAK, and SJC International Airports on the other hand.
2. The transfer is not adverse to the public interest.
3. No protests to the application have been filed.
4. A public hearing is not necessary.
5. 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

The application also seeks to transfer the Non-Of-Rate Freedom (NORF) granted to Ms. Amjadi by Decision 96-11-004. IT IS ORDERED that:

1. By December 31, 1996, Sakineh Amjadi (transferor), an individual, may transfer the operative rights specified in the application to Limited Terminal Transportation, Inc. (transferee), a corporation.

2. Transferee shall:
 - a. File a written acceptance with the Rail Safety/Carriers Division of the certificate and a copy of the bill of sale or other transfer document within 30 days after the transfer.

Amendior 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 safety rules.

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

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.

g. Transferee shall comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.

3. If the transfer is completed, on the effective date of the tariff a certificate of public convenience and necessity (CPCN) 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-10587, to transport persons and their baggage.

4. The CPCN granted in Decision 91-10-011, as amended, is revoked on the effective date of the tariffs filed by the transferor.

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 California Highway Patrol has approved the use of transferee's vehicles for service.

- 7. The application is granted as set forth above.
- 8. The application is closed.

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

GREGORY CONLON
President

DANIEL W. FESSLER
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE

JOSIAH L. BEBBER
Commissioners

Transferee shall comply with PU Code 22 400.7 and 1043, relating to the Workers' Compensation laws of this state.

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4. The CPCN granted in Decision 91-10-011, as amended, 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.

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T/MM

Appendix PSC-10587

Limited Terminal
Transportation, Inc.
(a corporation)

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-10587

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
Sakineh Amjadi
by D.91-10-011, as amended.

Issued under authority of Decision 96-11-008,
dated November 6, 1996, of the Public Utilities Commission of
the State of California in Application 96-07-026.

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Appendix PSC-10587

Limited Terminal
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Issued by California Public Utilities Commission.

Decision 96-11-008, Application 96-07-026.

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

This certificate supersedes all passenger stage operative authority granted to Sakineh Amjadi, an individual.

Limited Terminal Transportation, Inc., a corporation, 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 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. Any point or place within the Counties of San Francisco, Santa Clara, San Mateo, Contra Costa, and Alameda
- B. San Francisco International Airport
Oakland International Airport
San Jose International Airport

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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