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Decision 96-11-052, November 26, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The matter of the application of A Para Transit, a corporation, for certificate of public convenience and necessity to operate as a passenger stage corporation between all points within the County of Alameda, and San Francisco International Airport, Oakland Airport and San Jose Airport.

Application 96-07-046
(Filed July 30, 1996)

ORIGINAL

OPINION

A Para Transit (applicant), a corporation, requests authority pursuant to Public Utilities Code ' 1031, et seq., to establish and operate as a passenger stage corporation to transport passengers and their baggage between points and places in the County of Alameda, on the one hand, and San Francisco (SFO), Oakland (OAK), and San Jose (SJC) International Airports, on the other hand.

Applicant proposes to perform an on-call service, seven days a week.

Applicant proposes to operate the passenger stage service with two (2) seven-passenger vans, as indicated in Exhibit C, attached to the application. The proposed fares are shown in Exhibit C, attached to the application. Applicant explained in its letter dated August 27, 1996, addressed to the Safety and Enforcement Division staff (now called Rail Safety/Carriers Division), that the fares for the first person, under the headings SFO, OAK, and SJC "Share," are the first dollar amounts and the second represents the fares for each additional passenger who is traveling together with the first passenger. The fares, for any person traveling alone, are under the headings SFO, OAK, and SJC "Single." The dollar figures for "To SF City" in Exhibit C are to be disregarded as the applicant does not intend to service the City of San Francisco. The proposed fares are reasonable. Exhibit D, attached to the application, is the unaudited balance sheet that indicates total assets and equity in the amount of \$48,500.

8/27/96

Notice of filing of the application appeared in the Commission's Daily

Calendar on August 13, 1996. No protest has been received. The applicant notified the airports, the affected cities, and governmental entities. The Rail Safety/Carriers

Division recommends that the application, as amended by applicant's letter dated August 27, be granted.

Findings of Fact

1. Applicant requests authority, as amended by its letter dated August 27, to establish and operate as a passenger stage corporation an on-call service to transport passengers and their baggage between points in the County of Alameda, on the one hand, and SFO, OAK, and SJC, on the other hand.

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, subject to staff approval of the rules and regulations governing the fares and as set forth in the following order.

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.

The applicant does not intend to service the City of San Francisco. The proposed fares are

reasonable. Exhibit D, attached to the application, is the unaudited balance sheet that

indicates total assets and equity in the amount of \$18,500.

Before beginning service, the applicant shall file with the Commission an **ORDER**...

Applicant shall not operate until the applicant has filed with the Commission an **ORDER** that:

1. A certificate of public convenience and necessity is granted to A Para Transit (applicant), a corporation, 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-9024 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 ten days' notice to the Commission; and make timetables and tariffs effective ten 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 its evidence of insurance is on file with the Commission and that the CHP has approved the use of applicant's vehicles for service.

5. The application, as amended by applicant's letter dated August 27, is granted as set forth above.

6. This application is closed.

This order is effective today.

Dated November 26, 1996, at San Francisco, California.

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

Commissioners
Commissioner Henry M. Duque,

being necessarily absent, did not participate.

- 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 §§ 160.7 and 101.3 relating to the Workers' Compensation laws of this state.

T/MM

Appendix PSC-9024

A Para Transit
(a corporation)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-9024

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 96-11-052,
dated November 26, 1996, of the Public Utilities Commission of the
State of California in Application 96-07-046.

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Issued by California Public Utilities Commission.

Decision 96-11-052, Application 96-07-046.

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

A Para Transit, 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 a scheduled service, between the points described in Section IIA, on the one hand, and the airports described in Section IIB, on the other hand, 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 either 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 AREA.

- A. Any points and places in Alameda County.
- B. San Francisco International Airport.
Oakland International Airport.
San Jose International Airport.

SECTION III. ROUTE DESCRIPTION.

Commencing from any point or place, as described in Section IIA, then over the most convenient streets and highways to the airports, as described in Section IIB.

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