

DEC 9 1996

Decision 96-12-012, December 9, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of Quake City Shuttle, Inc. for an extended 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 and Oakland International Airport.

ORIGINAL

Application 96-02-035

(Filed February 13, 1996)

amended August 7, 1996

OPINION

Quake City Shuttle, Inc. (Quake City of applicant) has authority under the certificate PSC-9682 to transport passengers and their baggage between the City and County of San Francisco and the San Francisco International Airport (SFO). Applicant requests authority pursuant to Public Utilities Code § 1031, et seq. to extend its authority to transport passengers and their baggage between points in San Francisco, San Mateo, Santa Clara, Alameda and Contra Costa Counties on the one hand, and the Metropolitan Oakland International Airport (OAK) on the other hand. It requests authority to serve SFO from the additional Counties of San Mateo, Santa Clara, Alameda, and Contra Costa.

Applicant proposes to perform a 24-hour, on-call service on a seven-day-a-week basis using one 1994 Ford Van and five Dodge vans 1987 or later. In its September 27, 1996 letter to the Commission Staff, the applicant's attorney stated that Quake City would purchase four additional vans upon the granting of the authority. Additional vans beyond the four will be purchased if needed.

DEC 8 1996

Quake City's unaudited balance sheet shows total assets of \$119,628, total liabilities of \$34,720, and an equity of \$84,908. The proposed tariff, containing the rules and fares is shown in Exhibit B, attached to and a part of the application. The proposed fares are reasonable.

Notice of the filing of the application appeared in the Commission's Daily Calendar on February 22, 1996, and that of the amended application on August 12, 1996. The applicant notified the airports and the affected cities and counties. No protests have been received. The Rail Safety/Carrier Division recommends that the application be granted.

Findings of Fact

1. The applicant requests authority to extent its authority to transport passengers and their baggage between points in San Francisco, San Mateo, Santa Clara, Alameda, and Contra Costa Counties on the one hand, and OAK on the other hand; and between San Mateo, San Clara, Alameda and Contra Costa Counties on the one hand, and SFO 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 that there is no possibility that the authority 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 exist 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. As 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 fixing rates. 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 Quake City Shuttle, Inc. (applicant) authorizing it to operate as a passenger stage corporation, as defined in Public Utilities Code § 226, to transport persons and their baggage between the points and over the routes set forth in Appendix PSC-9682 of Decision 95-04-060, by replacing Original pages 2 and 3 with First Revised Pages 3 and 4; subject to the following conditions:

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 within 120 days after this order is effective.
- c. State in the tariffs when service will start; allow at least 10 days' notice to the Commission; and make 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.

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 § 460.7 and § 1043, relating to the Workers' Compensation laws of this state.

ORDER

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 is granted as set forth above.

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

Applicant shall:

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

P. GREGORY CONLON

b. file with the Commission evidence of insurance and life tariffs within 30 days after this order is effective.

DANIEL Wm. FESSLER

JESSIE J. KNIGHT, JR.

c. file with the Commission evidence of insurance and life tariffs within 30 days after this order is effective.

HENRY M. DUQUE

JOSIAH L. NEPPER

Commissioners

d. Comply with General Orders Series 101, 101, 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 § 10321 and General Order Series 158.

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

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

Quake City Shuttle, Inc., a corporation, 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 an "on-call" basis, between the points described in Section IIA, on the one hand, and Section IIB, on the other hand, subject, however, 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.

Issued by California Public Utilities Commission.

Decision 95-04-060, Application 94-12-020.

*Revised by Decision 96-12-012, Application 96-02-035

SECTION II. SERVICE AREAS.

- A. Any point within the Counties of San Francisco, San Mateo*, Santa Clara*, Alameda*, and Contra Costa Counties*.
- B. San Francisco International Airport
Metropolitan Oakland International Airport*

SECTION III. ROUTE DESCRIPTION.

ON-CALL SERVICE DOOR-TO-DOOR SERVICE

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

Issued by California Public Utilities Commission.

Decision 95-04-060, Application 94-12-020.

*Revised by Decision 96-12-012, Application 96-02-035