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Decision 97-03-007 March 7, 1997

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ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of RKMS, Inc., dba Nationwide Limousine Service and A-Carriage Limousine of San Francisco for authority to operate as a passenger stage corporation between points in the San Francisco, San Mateo, Santa Clara, Alameda, Marin and Contra Costa Counties and the San Francisco, Oakland, and San Jose International Airports, and between specified points in San Francisco and San Mateo Counties.

Application 96-08-011
(Filed August 2, 1996)

O P I N I O N

RKMS, Inc. (applicant), a corporation, requests authority pursuant to Public Utilities (PU) Code § 1031, et seq., to establish and operate as a passenger stage corporation to transport passengers and their baggage between points in the Counties of San Francisco, San Mateo, Santa Clara, Alameda, Marin and Contra Costa, on the one hand, and San Francisco (SFO), Oakland (OAK), and San Jose (SJC) International Airports, on the other hand, and between the City of San Francisco and points in County of San Mateo.

Applicant is presently operating as a charter-party carrier under its TCP-7147-P and B. Under this authority, applicant listed a total of 25 vehicles that consists of: 12 limousines whose seating capacities varies between 6-15 passengers, four 14-15 passenger vans, two 21- and 27- passenger mini buses and one 38-passenger bus. The equipment for the proposed service will include these vehicles.

Applicant proposes to perform an on-call service, 24-hours per day, seven days a week. The proposed fares are shown in Exhibit C, attached to the application. The fares are reasonable.

The Balance Sheet, attached to the application, labeled as Exhibit E, indicates total assets of \$78,910, total liabilities in the amount of \$16,190, and capital in the amount of \$62,720.

Notice of filing of the application appeared in the Commission's Daily Calendar of August 7, 1996. No protest has been received. The applicant notified the affected airports, cities, and governmental entities, including SAMTRANS. The Rail Safety/Carriers Division recommends that the application be granted.

Findings of Fact

1. Applicant requests authority to establish and operate as a passenger stage corporation an on-call service to transport passengers and their baggage between points in the Counties of San Francisco, San Mateo, Santa Clara, Alameda, Marin, and Contra Costa, on the one hand, and SFO, OAK, and SJC, on the other hand, and between the City of San Francisco, and points in San Mateo County.
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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to RKMS, Inc. (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-7147 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.
- 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 is granted as set forth above.

6. This application is closed

This order is effective today.

Dated March 7, 1997, at San Francisco, California.

P. GREGORY CONLON
President
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
Commissioners

T/MM

Appendix PSC-7147

RKMS, Inc.
(a corporation)

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-7147

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 97-03-007,
dated March 7, 1997, of the Public Utilities Commission of
the State of California in Application 96-08-011.

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

RKMS, 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 points and places as described in Section IIA and Section IIB, and Section IIA1 and Section IIA2, over and along the routes 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 description is 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 AREA.

A. Points and places in the following Counties:

1. San Francisco
2. San Mateo
3. Santa Clara
4. Marin
5. Alameda
6. Contra Costa

- B. 1. Oakland International Airport
2. San Francisco International Airport
3. San Jose International Airport

SECTION III. ROUTE DESCRIPTION.

Route 1 - Airports

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

Route 1 - San Francisco/San Mateo County

Commencing from any point as described in Section IIA1, then over the most convenient streets, expressways, and highways to any point described in Section IIA2.

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