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Decision 97-06-056 June 11, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Shujaullah Malik and Amanullah Malik, a partnership dba Airporter Solano the authority to operate as an on-call passenger stage corporation between points in Solano, Yolo, Sacramento, Contra Costa, Alameda, San Francisco, and San Mateo Counties including San Francisco, Oakland, Travis, and Sacramento Airports.

ORIGINALApplication 96-12-051
(Filed December 30, 1996)**OPINION**

Shujaullah Malik and Amanullah Malik, a partnership (applicant), 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 in the Counties of Solano, Yolo, Sacramento, Contra Costa, Alameda, San Francisco, and San Mateo, on the one hand, and San Francisco (SFO) International, Oakland (OAK) International, Travis Air Force Base (TAFB), and Sacramento Metropolitan (SAC) Airports, on the other hand. Applicant is presently operating as a charter-party carrier under its TCP-10618-P. Under this authority, applicant presently operates with 3 seven-passenger vans. The applicant requested in his letter of February 13, 1997 to reduce the proposed service area in order to concentrate on the major portion of its business between TAFB, Vacaville, and Vallejo, on the one hand, and SFO, OAK, and SAC Airports, on the other hand. Applicant proposes to supplement this operation to include service between the cities of Alameda, Berkeley, Richmond, and Concord and the airports as indicated in Exhibit C, attached to his application.

Applicant proposes to perform an on-call service, 24-hours per day, 7 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 and identified as Exhibit D, indicates total assets of \$467,400 total liabilities in the amount of \$254,400 and net worth of \$213,000.

Notice of filing of the application appeared in the Commission's Daily Calendar of January 2, 1997. No protest has been received. The applicant notified the affected airports, cities, and governmental entities. The Rail Safety and Carriers Division recommends that the application be granted.

Findings of Fact

1. Applicant requests authority to establish and operate an on-call service as a passenger stage corporation to transport passengers and their baggage between TAFB, Vacaville, Vallejo, on the one hand, and SFO, OAK, and SAC Airports, on the other hand, and between the cities of Alameda, Berkeley, Richmond, and Concord and the airports as indicated in his Exhibit C, attached to its application.

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 Shujaullah Malik and Amanullah Malik, a partnership (applicant), 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-10618 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 June 11, 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-10618

Shujaullah Malik
and Amanullah Malik
(a partnership)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-10618

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 97-06-56, dated June 11, 1997, of the Public Utilities
Commission of the State of California in Application 96-12-051.

T/MM

Appendix PSC-10618

Shujaullah Malik
and Amanullah Malik
(a partnership)

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Issued by California Public Utilities Commission.

Decision 97-06-056, Application 96-12-051.

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

Shujaullah Malik and Amanullah Malik, a partnership, 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 certain points over and along the routes described in Section II, 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 at either TAFB, SFO, SAC, or 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.
- e. The following routes described in Section II may be combined: (1) Routes 1 and 2, (2) Routes 2 and 3, provided service will be only between the named cities and OAK and SFO and (3) Routes 2, 3, and 4, provided service will be only between the named cities and SFO.

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SECTION II. ROUTE DESCRIPTIONS.

Route 1 - TAFB - AIRPORTS

Commencing from Travis Air Force Base, Travis (TAFB), then over the most convenient streets, expressways, and highways to either San Francisco International Airport (SFO), Oakland International Airport (OAK), or Sacramento Metropolitan Airport (SAC).

Route 2 - Vacaville - Airports

Commencing from Vacaville or Vallejo, and then over the most convenient streets, expressways, and highways to either SFO, OAK, or SAC.

Route 3 - Alameda - SFO

Commencing from Concord or Richmond located in Contra Costa County, or from Alameda located in Alameda County, then over the most convenient streets, expressways, and highways to SFO and OAK.

Route 4 - Berkeley - SFO

Commencing from Berkeley located in Alameda County, then over the most convenient streets, expressways, and highways to SFO.

Route 5 - SFO - OAK

Commencing from SFO, then over the most convenient streets, expressways, and highways to OAK.

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