

JUN 11 1997

Decision 97-06-057 June 11, 1997

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

J. P. Transportation, My Shuttle Service, dba Charter, Limousine, and Towncar Service and Van Shuttle Airport, Door to Door, for a Certificate of Public Convenience and Necessity to provide "on-call" door to door passenger stage service between hotel business, and residential areas within Alameda and Santa Clara, Contra Costa, Santa Cruz, Monterey Counties on the one hand, to Oakland International Airport, San Francisco International Airport, on the one hand.

**ORIGINAL**

Application 96-11-016  
(Filed November 15, 1996;  
amended January 16, 1997)

**OPINION**

The applicant is Jay Pierad, an individual.

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 Alameda, Santa Clara, Contra Costa, Santa Cruz, and Monterey, on the one hand, and San Francisco (SFO), Oakland (OAK), and San Jose (SJC) International Airports, on the other hand.

Applicant proposed to perform an on-call service seven days a week between 5 a.m. to 12 p.m. The equipment for the proposed service is one seven-passenger van.

Applicant filed an amendment on January 16, 1997 followed by a visit with the Rail Safety and Carriers Division (staff) on April 10, 1997. After discussing with the staff his proposed operations, applicant proposed to reduce his service to operate between Campbell, Cupertino, Los Altos, Los Gatos, Milpitas, Mountain View, Palo Alto, Santa Clara, Saratoga, San Jose, and Sunnyvale, in Santa Clara County (points in Santa Clara County), and Fremont, Hayward, Newark, San Lorenzo, San Leandro, and Union City, in

Alameda County (points in Alameda County), on the one hand, and OAK, and SJC, on the other hand. Applicant also proposes service between SJC and OAK. The proposed fares are shown in Exhibit C, attached to the application. The fares are reasonable. The Balance Sheet, attached to the amended application indicates total assets of \$100,500, total liabilities in the amount of \$12,600 and net worth in the amount of \$87,900.

Notice of filing of the application, as amended, appeared in the Commission's Daily Calendar of November 18, 1996 and January 21, 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, as modified and discussed in this decision.

#### **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 Alameda and Santa Clara, on the one hand, and OAK and SJC, on the other hand, and between OAK and SJC.

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, as modified and discussed in this decision.

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 Jay Pierad (applicant), an individual, authorizing him 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-10210 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 his 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-10210

Jay Pierad  
(an individual)

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-10210

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Showing passenger stage operative rights, restrictions, limitations, exceptions, and  
privileges.

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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.

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Issued under authority of Decision 97-06-057, dated June 11, 1997, of the Public Utilities  
Commission of the State of California in Application 96-11-016.

T/MM

Appendix PSC-10210

Jay Pierad  
(an individual)

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Issued by California Public Utilities Commission.

Decision 97-06-057, Application 96-11-016.

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

Jay Pierad, an individual, 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 cities and communities, as described in Section IIA, and certain airports, as described in Section IIB, and between the airports described in Section IIB, 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 at either OAK or SJC.
- 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. The following cities or communities in the Counties of:**

Santa Clara

Campbell  
Los Gatos  
Mountain View  
San José

Cupertino  
Milpitas  
Santa Clara  
Sunnyvale

Los Altos  
Palo Alto  
Saratoga

Alameda

Fremont  
San Lorenzo

Hayward  
San Leandro

Newark  
Union City

**B. Airports**

Oakland International Airport (OAK)  
San José International Airport (SJC)

**SECTION III. ROUTE DESCRIPTION.**

Route 1 - Alameda and Santa Clara - SJC/OAK

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

Route 2 - SJC - OAK

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

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