

ALJ/KLK/wav

Decision 97-08-002 August 1, 1997

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ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Rahim Faraji, dba Superfly Shuttle for authority to operate as a passenger stage corporation between points in Orange County and the John Wayne Airport.

Application 97-04-052
(Filed April 23, 1997)

O P I N I O N

Applicant Rahim Faraji, an individual, 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 Orange County and John Wayne Airport (SNA). Applicant requested in his letter of June 13, 1997 to reduce his proposed service area and submits his new service area to include only points between the cities of Anaheim, Buena Park, Irvine, Long Beach, Newport Beach, Santa Ana, La Palma, Garden Grove, Fullerton, and Westminster, on the one hand, and SNA, on the other. Applicant plans to operate within the proposed reduced service area with three seven-passenger vans.

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

The Balance Sheet, attached to the application and identified as Exhibit F, indicates total assets of \$18,100 total liabilities in the amount of \$2,200 and net worth of \$15,900.

Notice of filing of the application appeared in the Commission's Daily Calendar of April 25, 1997. No protest has been received. The applicant notified SNA, the cities, and governmental entities. The Rail Safety and Carrier's Division recommends that the application be granted.

Findings of Fact

1. Applicant, an individual, requests authority to establish and operate an on-call service as a passenger stage corporation to transport passengers and their baggage between the cities of Anaheim, Buena Park, Irvine, Long Beach, Newport Beach, Santa Ana, La Palma, Garden Grove, Fullerton, and Westminster, on the one hand, and SNA, 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 as amended 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 Rahim Faraji (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-10919 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 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.

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.

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6. This application is closed.

This order is effective today.

Dated August 1, 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-10919

Rahim Faraji
(an individual)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-10919

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 97-08-002, dated August 1,
1997, of the Public Utilities Commission of the State of
California in Application 97-04-052.

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Issued by California Public Utilities Commission.

Decision 97-08-002, Application 97-04-052.

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

Rahim Faraji, 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 points and places as described in Section II, and John Wayne Airport (SNA), over and along the route 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 SNA.
- 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.

The following cities located in the County of Orange:

Grove	Anaheim	Buena Park	Fullerton	Garden
	Irvine	La Palma	Long Beach	
Westminster	Newport Beach		Santa Ana	

SECTION III. ROUTE DESCRIPTION.

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

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