

Decision 97-11-009 November 5, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Eissa Hassan Mohammed, Ahmed Mohamed Zarroug, Kmel Sadek Bashir and Mowafi Mohamed Ginawi, a partnership, dba International Shuttle, to acquire and Seyd M. Saidi, an individual, dba International Shuttle, to transfer a certificate of public convenience and necessity to operate as a passenger stage corporation (PSC-9882) and certain other assets.

ORIGINAL

Application 97-06-054
(Filed June 30, 1997)

OPINION

Summary

Transfer of certificate of public convenience and necessity to operate as a passenger stage corporation granted.

Discussion

Seyd M. Saidi (Transferor), an individual doing business as International Shuttle, wishes to transfer PSC-9882, a passenger stage corporation certificate of public convenience and necessity to transport passengers and their baggage from various places in Alameda, Albany, San Leandro, San Lorenzo, Pleasanton, Dublin, Oakland, Hayward, San Francisco, Danville, and Livermore on the one hand and the Oakland International Airport on the other hand to Eissa Hassan Mohammed, Ahmed Mohamed Zarroug, Kmel Sadek Bashir and Mowafi Mohamed Ginawi, a partnership doing business as International Shuttle. Along with the sale of the certificate of public convenience and necessity would be the sale of Transferor's interest in motor vehicles and other assets used in the conduct of the passenger stage business.

Findings of Fact

1. Seyd M. Saidi wishes to sell and Eissa Hassan Mohammed, Ahmed Mohamed Zarroug, Kmel Sadek Bashir, and Mowafi Mohamed Ginawi, a partnership, wish to purchase a certificate of public convenience and necessity to operate an on-call airport

shuttle operation to and from Oakland International Airport and various locations in the San Francisco Bay Area.

2. The operation would continue under the name of International Shuttle.
3. Transferees have demonstrated sufficient financial ability to conduct the operations.
4. Transferees will obtain the vehicles and other assets of Transferor used in the operation of International Shuttle.
5. Transferees are ready, willing, and able to assume control of International Shuttle under Transferor's existing tariff schedules.
6. Transfer of the certificate in question will not change the operation of International Shuttle.
7. Transferees realize that they cannot begin operations without the prior consent of the Oakland International Airport authorities.
8. There have been no protests to this application.

Conclusions of Law

1. Granting this application will have no significant effect on the environment.
2. Granting this application will not be adverse to the public interest.
3. The application should be granted.

O R D E R

IT IS ORDERED that:

1. By February 1, 1998, Seyd M. Saidi (transferor), an individual, may sell the operative rights specified in the application, including operating equipment, to Eissa Hassan Mohammed, Ahmed Mohamed Zarroug, Kmel Sadek Bashir, and Mowafi Mohamed Ginawi (transferee), a partnership.
2. Transferee shall:
 - a. File a written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.

- b. Amend or reissue transferors' tariffs and timetables, state in them when the service will start, make them effective 10 or more days after this order is effective, and allow at least 10 days' notice to the Commission.
- c. Comply with General orders Series 101, 104, and 158, and the California Highway Patrol safety rules.
- d. Comply with the controlled substance and alcohol testing certification program pursuant to PU Code § 1032.1 and General Order Series 158.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU § 403 when notified by mail to do so.
- g. Comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this State.
- h. Enroll all of its drivers in the pull notice system as required by Section 1808.1 of the Vehicle Code.

3. If the sale is completed, on the effective date of the tariff, a certificate of public convenience and necessity is granted to transferee, authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-11381, to transport persons and their baggage.

4. The certificate of public convenience and necessity granted by Decision 96-03-001 is revoked on the effective date of the tariffs filed by the transferor.

5. Before beginning service to any airport, transferee shall notify the airport's governing body. Transferee shall not operate into or on airport property unless such operations are also authorized by the airport's governing body.

6. Transferee is authorized to begin operations on the date that the Executive Director mails a notice to transferee that its evidence of insurance is on file with the Commission and that the California Highway Patrol has approved the use of transferee's vehicles for service.

A.97-06-054 ALJ/SHL/sid

7. The application is granted as set forth above.
8. This proceeding is closed.

This order is effective today.

Dated November 5, 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-11381

Eissa Hassaan Mohammed,
Ahmed Mohamed Zarroug,
Kmel Sadek Bashir,
and Mowafi Mohamed Ginawi
(a partnership)

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CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-11381

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.

Supersedes authority heretofore granted to
Seyd M. Saidi, an individual
by D.96-03-001.

Issued under authority of Decision 97-11-009, dated November 5, 1997, of
the Public Utilities Commission of the State of California in
Application 97-06-054.

Appendix PSC-11381

Eissa Hassan Mohammed,
Ahmed Mohamed Zarroug,
Kmel Sadek Bashir,
and Mowafi Mohamed Ginawi
(a partnership)

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Issued by California Public Utilities Commission.

Decision 97-11-009, Application 97-06-054.

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

This certificate supersedes all passenger stage operative authority granted to Seyd M. Saidi, an individual.

Eissa Hassan Mohammed, Ahmed Mohamed Zarroug, Kmel Sadek Bashir, and Mowafi Mohamed Ginawi, 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 "on-call" basis, between the points described in Section IIA, on the one hand, and the airport described in Section IIB, on the other hand, over and along the route described in Section III, subject, however, to the authority of this Commission to change or modify the route at any time and subject 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 at 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.

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T/MM

Appendix PSC-11381

Eissa Hassan Mohammaed,
Ahmed Mohamed Zarroug,
Kmel Sadek Bashir,
and Mowafi Mohamed Ginawi
(a partnership)

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SECTION II. SERVICE AREA.

- A. The cities of Alameda, Albany, San Leandro, San Lorenzo, Pleasanton, Dublin, Oakland, Piedmont, Berkeley, Emeryville, Walnut Creek, Concord, Hayward, San Francisco, Danville, and Livermore.

- B. Oakland International Airport (OAK)

SECTION III. ROUTE DESCRIPTION.

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

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