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Decision 97-12-026 December 3, 1997

**ORIGINAL**

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

Application of the Royya's Transportation Inc. dba Express Airport Shuttle, a California Passenger Stage Corporation to transfer control from Kamran, Hadi and Kambiz Chitgar to David M. Haydari.

Application 94-04-009  
(Filed April 8, 1994)

## O P I N I O N

### Background

Applicant Royya's Transportation, Inc. (Royya's), doing business as Express Airport Shuttle (Express), filed this application on April 8, 1994, requesting authority to transfer control of Express from owners Kamran Chitgar, Hadi Chitgar, and Kambiz Chitgar, who own all outstanding shares of stock, to David M. Haydari. Applicants state that they wish to pursue other business interests neither related to nor in competition with Express.

Prior to the filing of this application, the Commission opened Investigation (I.) 93-12-009 on December 17, 1993. This was an Order Instituting Investigation for Notice of Revocation of Passenger Corporation Certificate (PSC 8200) of Royya's, doing business as Express Airport Shuttle, and the business practices of these individuals as corporate officers in Royya's: Kamran Chitgar, Kambiz Chitgar, and Hadi Chitgar, respondents. Decision (D.) 94-11-021 dated November 9, 1994 in the investigation revoked the passenger stage corporation certificate held by Royya's, for continued operations with unsafe shuttle vans, and for disregard of other rules such as compliance with the Pull Notice Program of the Department of Motor Vehicles. D.94-11-021 further ordered, "Respondent's corporate stock may not be transferred to any purchaser for the purpose of performing operations as a passenger stage corporation." (Ordering Paragraph 2, mimco. p. 22.)

Royya's Transportation, Inc. and Kamran Chitgar filed an application for rehearing of D.94-11-021, alleging that by suspending its operating authority the

Commission violated Royya's rights to due process of law, that the Commission failed to regularly pursue its authority by not resolving issues by making findings of fact and conclusions of law on certain issues, and that the Commission exceeded its authority by prohibiting the sale of Royya's stock. Rehearing was denied by D.96-12-035 dated December 9, 1996, finding that good cause had not been shown for rehearing.

Since D.94-11-021 prohibits the transfer of respondent's stock for the purpose of operating as a passenger stage corporation, this application to transfer control for the purpose of continued operation cannot be granted.

We will deny the application in the order that follows.

**Findings of Fact**

1. Applicant seeks Commission authority to transfer control of Royya's.
2. D.94-11-021 ordered that respondent's authority may not be transferred to any purchaser for the purpose of performing passenger stage operations.
3. D.96-12-035 denied rehearing of D.94-11-021.

**Conclusions of Law**

1. This application should be denied.
2. This proceeding should be closed.

**O R D E R**

**IT IS ORDERED that:**

1. Application 94-04-009 is denied.
2. This proceeding is closed.

**This order is effective today.**

**Dated December 3, 1997, at San Francisco, California.**

**P. GREGORY CONLON**

**President**

**JESSIE J. KNIGHT, JR.**

**HENRY M. DUQUE**

**JOSIAH L. NEEPER**

**RICHARD A. BILAS**

**Commissioners**