

FEB 4 1998

Decision 98-02-007 February 4, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application for In PARVIZ KARMOZD, to acquire and EXECUTIVE RIDE, INC. to transfer a passenger stage certificate of public convenience and necessity and certain other assets, pursuant to Section 851 et seq. of the California Public Utilities Code.

Application 97-05-015
(Filed May 8, 1997)

ORIGINAL

O P I N I O N

Summary

A certificate of public convenience and necessity to operate shuttle service between points in San Diego County and San Diego International Airport, AMTRAK Station, and Greyhound Bus Station is transferred from Executive Ride, Inc. to Parviz Karmozd.

Discussion

Executive Ride, Inc. presently holds a passenger stage certificate (PSC- 9683) to operate on-call passenger stage service between San Diego International Airport, the AMTRAK station and the Greyhound Bus Station located in the City of San Diego, on the one hand, and the cities of Coronado, National City, and the City of San Diego (south Carmel Valley, Los Penasquitos Canyon and Beeler Canyon). This authority was granted pursuant to Decision 95-09-027, dated September 7, 1995. By this application Executive Ride Inc. proposes to sell its certificate and three associated telephone lines to Parviz Karmozd for \$30,000.

Exhibit E to the application is the unaudited financial statement and the operating forecast of Karmozd indicating a net worth of \$127,128.

Notice of filing of this application appeared on the Commission's Daily Calendar on May 12, 1997. A protest to the application was filed by the San Diego Unified Port District on June 6, 1997. Hearings were scheduled on this matter but were canceled at

the request of the parties so that they might attempt to negotiate a settlement of their differences. On November 17, 1997 a withdrawal of protest was mailed. No other protests were received. The Commission's Rail Safety and Carriers Division recommends that this application be granted.

Findings of Fact

1. Transferor holds PSC-9683 , authorizing shuttle service in the San Diego area.
2. Transferor wishes to sell and transferee wishes to purchase PSC-9683 for \$30,000.
3. Transferee's financial statement indicates a net worth of \$127,128.
4. The only protest to the application was withdrawn.
5. The Commission's Rail Safety and Carriers Division recommends granting the application.

Conclusions of Law

1. The proposed sale is in the public interest and should be authorized.
2. There are no outstanding protests to the application. Since the application is non-controversial there is no need for a public hearing.
3. It can be seen with certainty that granting this application will have no adverse impact on the environment.
4. The application should be granted.

O R D E R

IT IS ORDERED that:

1. By March 1, 1998, Executive Ride, Inc. (transferor), a corporation, may sell the operative rights specified in the application to Parviz Karmozd (transferee), an individual.

2. Transferee shall:

- a. File a written acceptance of the certificate.
- 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 (CHP) 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 Code § 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 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-11097, to transport persons and their baggage.

4. The certificate of public convenience and necessity granted by Decision 95-09-027 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

A.97-05-015 ALJ/SHL/sid

Commission and that the California Highway Patrol has approved the use of transferee's vehicles for service.

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

This order is effective today.

Dated February 4, 1998, at San Francisco, California.

RICHARD A. BILAS
President
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners

Appendix PSC-11097

Parviz Karmozd
(an individual)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-11097

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
Executive Ride, Inc., a corporation
by D.95-09-027.

Issued under authority of Decision 98-02-007,
dated February 4, 1998, of the Public Utilities Commission of
the State of California in Application 97-05-015.

I N D E X

	<u>Page</u>
SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS	2
SECTION II. SERVICE AREA DESCRIPTION	3
SECTION III. ROUTE DESCRIPTION	3

Issued by California Public Utilities Commission.

Decision 98-02-007, Application 97-05-015.

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

This certificate supersedes all passenger stage operative authority granted to Executive Ride, Inc.

Parviz Karmozd, 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 in San Diego County, described in Section IIA, on the one hand, and 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 a point of origin or destination described in Section IIB.
- 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 DESCRIPTION.

- A. San Diego County
All points within the geographical limits of the cities of Coronado, National City, and San Diego (south of Carmel Valley, Los Penasquitos Canyon and Beeler Canyon).

- B. San Diego International Airport
Santa Fe Train Depot (AMTRAK Station), City of San Diego
Greyhound Bus Terminal, City of San Diego

SECTION II. ROUTE DESCRIPTION.

ON -CALL SERVICE

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

Issued by California Public Utilities Commission.

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