

FEB 4 1998

Decision 98-02-025 February 4, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Saeid Vakili (dba Atlas Express), doing business as Charter, Limousine and Towncar Service, for authority to operate as a passenger stage between points within the counties of Alameda and Santa Clara, San Mateo to Oakland International Airport to San Francisco International and San Jose International Airports.

Application 97-11-016
(Filed November 12, 1997)

ORIGINAL

O P I N I O N

Saeid Vakili (applicant), an individual, requests authority pursuant to Public Utilities (PU) Code § 1031, et seq., to establish and operate as an on-call passenger stage corporation to transport passengers and their baggage between certain points in the Counties of Alameda, Santa Clara, and San Mateo, on the one hand, and San Francisco (SFO), Oakland (OAK), San Jose (SJC) International Airports, on the other hand.

Applicant proposes to perform an on-call service, between 5 a.m. and midnight, seven days a week. Applicant will operate with three eight-passenger vans. Applicant indicated in his letter dated December 8, 1997, that he proposes to operate between the Cities of San Jose, Sunnyvale, Belmont, San Carlos, Berkeley, Fremont, and Oakland, on the one hand, and SFO, OAK, and SJC Airports, on the other hand. The proposed one-way adult fares are shown in Exhibit D1, as amended, varies between \$49 - between Oakland and SFO, and \$24 - between Berkeley and OAK. The proposed fares are reasonable.

Exhibit F, attached to the application, is the unaudited Balance Sheet. It shows total assets in the amount 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 appeared in the Commission's Daily Calendar of November 14, 1997. No protest has been received. The applicant notified the affected

airports, cities, and governmental entities. The Rail Safety/Carriers Division recommends that the application be granted.

Findings of Fact

1. Applicant requests authority to establish and operate as an on-call passenger stage corporation to transport passengers and their baggage between the Cities of San Jose, Sunnyvale, Belmont, San Carlos, Berkeley, Fremont, and Oakland, on the one hand, and SFO, OAK, and SJC Airports, 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 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 Saeid Vakili (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-11340 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 (GO) 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 GO 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.
 - i. Enroll all drivers in the pull notice system as required by Section 1808.1 of the Vehicle Code.
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 amended by letter dated December 8, 1997.

A.97-11-016 ALJ/KLK/wav

6. This application 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

T/MM

Appendix PSC-11340

Saeid Vakili
(an individual)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-11340

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 98-02-025, dated February 4,
1998, of the Public Utilities Commission of the State of
California in Application 97-11-016.

T/MM

Appendix PSC-11340

Saeid Vakili
(an individual)

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Issued by California Public Utilities Commission.

Decision 98-02-025, Application 97-11-016.

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

Saeid Vakili, an individual, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to transport passengers and their baggage on an "on-call" basis, between points and places as described in Section IIA, and the airports described in Section IIB, 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 as 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.

- A. Within the Cities of San Jose and Sunnyvale located in Santa Clara County.
Within the Cities of Berkeley, Fremont, and Oakland located in Alameda County.
Within the Cities of Belmont and San Carlos located in San Mateo County.
- B. San Francisco International Airport.
Oakland International Airport.
San Jose International Airport.

SECTION III. ROUTE DESCRIPTION.

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

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