

MAR 12 1998

Decision 98-03-030 March 12, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Il Sung Ko to Transfer the Certificate of Public Convenience and Necessity (PSC 4945) and All Other Assets From Il Sung Ko to Ace Shuttle Inc., a California Corporation. This request is made pursuant to Section 851 et seq. of the California Public Utilities Code.

Application 97-10-057
(Filed October 22, 1997)

ORIGINAL

O P I N I O N

Summary

Il Sung Ko, doing business as (dba) Ace Shuttle, authorized to transfer a certificate of public convenience and necessity to operate on call shuttle service to Ace Shuttle, Inc.

Discussion

Il Sung Ko, dba Ace Shuttle, (transferor) wishes to sell his passenger stage certificate (PSC-4945) to Ace Shuttle, Inc. (transferee) pursuant to the provisions of Public Utilities Code § 851.

Transferor is authorized to operate between all points in the Counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura, on the one hand, and Los Angeles International Airport, Orange County Airport, Ontario Airport, Burbank Airport, Long Beach Airport, the Los Angeles AMTRAK station and the Los Angeles and Long Beach Harbors, on the other hand.

The application indicates that the purchase price is to be \$10,000. The sale includes PSC-4945, the current permit issued by the Los Angeles Airport, three vans, and the transferor's business telephone number.

The transferee is a California corporation, whose president is Kim Kyong. Kyong has been working in the shuttle industry for 10 years and will operate the

business. The application contained a balance sheet for transferee as of April 20, 1997 showing a net worth of \$312,000.

Notice of filing of this application appeared in the Commission's Daily Calendar of October 27, 1997. No protest has been received. The Commission's Rail Safety and Carriers Division recommends that this application be granted.

Findings of Fact

1. Transferor is operating as an on call shuttle service between all points in Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties and Los Angeles International Airport, Orange County Airport, Burbank Airport Ontario Airport, Long Beach Airport, the Los Angeles AMTRAK Station, and the Long Beach and Los Angeles Harbors pursuant to PSC-4945.
2. Transferor proposes to sell this certificate and other items to transferee.
3. Transferee has the financial and operating capability to provide service to the public in the service territory of transferor.
4. There have been no protests filed to this application.

Conclusions of Law

1. The proposed sale is not adverse to the public interest and should be granted.
2. A public hearing is not necessary.
3. The State may grant any number of rights and may cancel the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. By July 1, 1998, Il Sung Ko (transferor), an individual, may sell the operative rights specified in the application to Ace Shuttle, Inc. (transferee), a corporation.
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-11519, to transport persons and their baggage.

4. The certificate of public convenience and necessity granted by Decision 88-08-037 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.

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

This order is effective today.

Dated March 12, 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-11519

Ace Shuttle, Inc.
(a corporation)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-11519

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 the authority heretofore granted to
Il Sung Ko D.88-08-037, as amended.

Issued under authority of Decision 98-03-030,
dated March 12, 1998, of the Public Utilities Commission of
the State of California in Application 97-10-057.

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Issued by California Public Utilities Commission.

Decision 98-03-030, Application 97-10-057.

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

This certificate supersedes all passenger stage operative authorities granted to Il Sung Ko, an individual.

Ace Shuttle, Inc., a corporation, 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 in Section IIA and Section IIB, 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 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 AREAS.

- A. 1. Any point or place in the Counties of Los Angeles and Orange.
2. San Bernardino County
All points within the cities of; Chino, Etiwanda, Fontana, Highland, Loma Linda, Redlands, Rialto, San Bernardino, Grand Terrace/Colton, Montclair, Ontario, Rancho Cucamonga, Upland, and all points located within the geographical limits as described by the following U.S. Postal Zip Codes (Zip Code); 91701, 92316, 92267, and 92268.
3. Riverside County
All points within the cities of; Riverside, Corona, Norco, Lake Elsinore, and the community of Mira Loma (Zip Code 91752).
4. Ventura County
All points within the cities of: Ventura, Simi Valley, Fillmore, Thousand Oaks, Oxnard, Ojai, Moorpark, Camarillo, Port Hueneme, Santa Paula, and the communities of Piru (Zip Code 93040) and Somis (Zip Code 93066).
- B. San Pedro/Los Angeles Harbor, San Pedro
Long Beach Harbor
AMTRAK Union Station, Los Angeles
Burbank Glendale Pasadena Airport
John Wayne - Orange County Airport
Long Beach Municipal Airport
Los Angeles and Ontario International Airports.

SECTION III. ROUTE DESCRIPTION.

ON -CALL SERVICE

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

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