

Decision 98-05-037 May 21, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of S.A. Karim Aghaseyedali, an individual, to establish and operate a passenger stage between certain portions in Los Angeles, Orange and San Diego Counties, on the one hand, and Los Angeles International Airport (LAX), John Wayne Airport (SNA), Long Beach Airport (LGB), Los Angeles and Long Beach Harbors, on the other hand, pursuant to Section 1031, et seq., of the California Public Utilities Code.

Application 97-08-012
(Filed August 7, 1997)

O P I N I O N**Summary**

S. A. Karim Aghaseyedali (applicant), an individual, doing business as Advance Shuttle, requests authority under Public Utilities (PU) Code § 1031 et seq. to establish and operate a passenger stage corporation to transport passengers and their baggage between certain points in the Counties of Los Angeles, Orange, and San Diego, on the one hand, and Los Angeles International (LAX), John Wayne (SNA), and Long Beach (LGB) Airports, and the Los Angeles and Long Beach Harbors (HBRS), on the other hand.

Discussion

Applicant proposes to operate an on-call door-to-door passenger stage service 24-hours per day, 7 days per week, between 762 service points, as shown in Exhibit B, attached to the application. In applicant's letter of December 8, 1997, he asked to eliminate the 222 service points in San Diego County. The equipment for the proposed service will include 5 seven-passenger vans. Three of these

vehicles are presently utilized in the applicant's charter-party operations, TCP-10192-P. Applicant indicates that additional equipment will be added, as needed, and he will also use charter-party carriers as subhaulers. Exhibit D, attached to the application, is the unaudited Balance Sheet as of June 25, 1997, that discloses cash on hand of \$3,000; accounts receivable of \$5,000; inventory of materials and supplies of \$6,500; vehicles of \$45,000; furniture, Persian rugs, jewelry, art, camera, and TV of \$25,000; and shop equipment of \$5,250; or total assets of \$89,750. There is no provision for depreciation. Liabilities total \$47,000, consisting of accounts payable of \$5,000 and notes payable of \$42,000. Net worth is \$42,750.

Notice of filing of the application appeared in the Commission's Daily Calendar on August 14, 1997. No protest has been received. The applicant notified the affected airports and cities. The staff recommends that the application be granted.

Findings of Fact

1. Applicant requests authority, as amended by his letter of December 8, to operate an on-call passenger stage corporation between certain points in the Counties of Los Angeles and Orange, on the one hand, and LAX, SNA, and LGB Airports, and the HBRS, on the other hand
2. Public convenience and necessity require the proposed service.
3. No protests to the application have been filed.
4. A public hearing is not necessary.
5. 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. The application should be granted.

2. Public convenience and necessity have been demonstrated and the application should be granted.

3. Since the matter is uncontested, the 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 S.A. Karim Aghaseyedali (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 route set forth in Appendix PSC-10901 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 Series 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 General Order Series 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 Rail Safety and Carriers Division mails a notice to applicant that his evidence of insurance and other documents required by Ordering Paragraph 2 have been filed with the Commission and that the CHP has approved the use of applicant's vehicles for service.

5. The certificate of public convenience and necessity to operate as a passenger stage corporation (PSC-10901), granted herein, expires, unless exercised within 120 days after the effective date of this order.

6. The application, as amended by letter dated December 8, 1997, is granted as set forth above.

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7. This proceeding is closed.

This order is effective today.

Dated May 21, 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-10901

S.A. Karim Aghaseyedall
(an individual)

Original Title Page

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-10901

**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 98-05-037, dated May 21, 1998, of the Public
Utilities Commission of the State of California in Application 97-08-012.**

T/MM

Appendix PSC-10901

S.A. Karim Aghaseyedali
(an individual)

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Issued by California Public Utilities Commission.

Decision 98-05-037, Application 97-08-012.

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

S.A. Farim Aghaseyedali, 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 and harbors, 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, it applies 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 geographical limits of the following United States Postal Zip Codes in the Counties of Los Angeles and Orange:

Los Angeles County

90045	90701	90220	90221	90222	90223	90245	
90247	90248	90249	90250	90254	90260	90261	90266
90274	90277	90301	90302	90303	90304	90305	90501
90502	90503	90504	90505	90506	90638	90274	90650
90706	90710	90712	90713	90714	90715	90716	90717
90723	90731	90744	90745	90746	90747	90806	

and any point within the incorporated city limits of Long Beach.

Orange County

	90620	90621	90622	90623	90630	90631	90680
90720	90740	90742	90743	90802	90803	90804	90805
90806	90807	90808	90809	90810	90811	90812	90813
92612	92621	92624	92625	92626	92627	92628	92629
92630	92631	92632	92633	92634	92635	92640	92641
92642	92643	92644	92645	92646	92647	92648	92649
92650	92651	92652	92653	92654	92655	92656	92658
92659	92660	92661	92662	92663	92665	92666	92667
92668	92669	92670	92672	92675	92676	92677	92679
92680	92683	92684	92686	92688	92691	92692	92701
92702	92703	92704	92705	92706	92707	92708	92709
92710	92711	92712	92713	92714	92715	92716	92718
92720	92801	92802	92803	92804	92805	92806	92807
92808	92861						

B. Los Angeles International Airport., John Wayne Airport, Los Angeles Harbor, and Long Beach Harbor.

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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