

ALJ/KLK/bwg

Mailed 8/6/98

Decision 98-08-013 August 6, 1998

ORIGINAL

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

In the Matter of the Application of Farid Salem Dabit of San Bruno, dba Reliable Airport Shuttle, for certificate of public convenience and necessity to operate as an "on call" passenger stage corporation between Santa Clara, San Francisco, and San Mateo Counties in California.

Application 97-05-053  
(Filed May 29, 1997)

**OPINION**

**Summary**

Farid Salem Dabit (applicant), an individual, doing business as Reliable Airport 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 points in the Counties of Santa Clara, San Mateo, and San Francisco, on the one hand, and San Francisco (SFO), Oakland (OAK), and San Jose (SJC) International Airports, 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. The Rail Safety and Carriers Division (staff) notified applicant by letters of July 8, October 2, and November 18, 1997 to resolve certain deficiencies in the application. Eventually, applicant addressed the staff's previously expressed concerns about the application and modified it to service only the Counties of Santa Clara and San Mateo. The equipment for the proposed service will initially include 2 seven-passenger vans.

Exhibit D, attached to the application, is the unaudited Balance Sheet as of May 25, 1997, that discloses: cash on hand, \$120,000; accounts receivable, \$8,000; liabilities, none; and net worth, \$128,000.

Notice of filing of the application appeared in the Commission's Daily Calendar on June 5, 1997. The applicant notified the affected airports and cities. No protest has been received. The Commission's staff recommends that the application be granted.

### **Findings of Fact**

1. Applicant requests authority, as amended by letter of June 8, 1998, to operate an on-call passenger stage corporation between points in the Counties of San Mateo and Santa Clara, on the one hand, and SFO, OAK, and SJC, 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 Farid Salem Dabit (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-11176 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-11176), granted herein, expires, unless exercised within 120 days after the effective date of this order.

6. The application, as amended by letter of June 8, 1998, is granted as set forth above.

7. This proceeding is closed.

This order is effective today.

Dated August 6, 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-11176

Farid Salem Dabit  
(an individual)

Original Title Page

**CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-11176**

---

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 98-08-013, dated August 6, 1998, of the Public Utilities  
Commission of the State of California in Application 97-05-053.

INDEX

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

Issued by California Public Utilities Commission.

Decision 98-08-013, Application 97-05-053.

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

Farid Salem Dabit, 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 II A, and the airports described in Section II B, 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 a 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 II B.
- 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.

Issued by California Public Utilities Commission.

Decision 98-08-013, Application 97-05-053.

**SECTION II. SERVICE AREA.**

- A. Within the geographical limits of the Counties of San Mateo and Santa Clara.
  
- 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.

Issued by California Public Utilities Commission.

Decision 98-08-013, Application 97-05-053.