

Decision 98-12-014 December 3, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Airport Services of Balwinder S. Patrola, dba Royal Shuttle for authority to expand its passenger stage operations to include points between Alameda County and Oakland International Airport.

Application 98-07-004
(Filed July 2, 1998)

O P I N I O N

ORIGINAL

Summary

Balwinder S. Patrola (applicant), an individual, doing business as Royal Shuttle, requests authority under Public Utilities (PU) Code § 1031 et seq. to extend his passenger stage corporation certificate to transport passengers and their baggage between certain points in Alameda and Contra Costa Counties and Oakland International Airport (OAK).

Discussion

Pursuant to Decision (D.) 97-04-075, applicant is currently authorized to conduct operations as passenger stage corporation (PSC-10568) providing on-call service between points in Santa Clara County and San Jose International Airport (SJC). Applicant proposes to extend service between 18 cities and communities in Alameda and Contra Costa Counties and OAK, as described in Exhibit A to the application. The requested authority will be operated on-call, six days a week between 6:30 a.m. and 11:00 p.m. The proposed fares vary from \$17 (Alameda-OAK) to \$61 (Livermore -OAK). The equipment for the proposed service will initially consist of one seven-passenger van. Applicant indicates that two vans will be added after the application is approved.

The unaudited Balance Sheet as of May 1998, discloses total assets in the amount of \$26,200.

Notice of filing of the application appeared in the Commission's Daily Calendar on July 9, 1998. The applicant notified the affected airports and cities.

In Resolution ALJ 176-2997 dated July 23, 1998, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's Rail Safety and Carriers Division recommends that this application be granted. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-2997.

Findings of Fact

1. Applicant is currently authorized to operate an on-call passenger stage corporation (PSC-10568) pursuant to D.97-04-075 between points in Santa Clara County and SJC.
2. Applicant requests authority to operate an on-call passenger stage corporation between 18 cities and communities in Alameda and Contra Costa Counties and OAK.
3. Public convenience and necessity requires the proposed service.
4. No protests to the application have been filed.
5. A public hearing is not necessary.
6. 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 (CPCN) granted to Balwinder S. Patrola (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-10568 of Decision 97-04-075, is amended by replacing Original Pages 2 and 3 with First Revised Pages 2 and 3 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.

A.98-07-004 ALJ/KLK/jva

5. The CPCN to operate as a passenger stage corporation (PSC-10568), granted herein, expires, unless exercised within 120 days after the effective date of this order.

6. The Application is granted as set forth above.

7. This proceeding is closed.

This order is effective today.

Dated December 3, 1998, at San Francisco, California.

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

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

Balwinder S. Patrola, an individual, by the certificate of public convenience and necessity granted by the *revised decision noted in the margin, is authorized to transport passengers and their baggage on an "on-call" basis, between points and places as described in Sections IIA and IIC and between points and places as described in Sections *IIB and *IID, over and along the routes 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 operations 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 at SJC or *OAK.
- 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.

*Revised by Decision 98-12-014, Application 98-07-004.

SECTION II. SERVICE AREA.

- A. Points and places in the County of Santa Clara.
- B. 1. *Points and places in the following cities and communities in Alameda County:

Alameda	Albany	Berkeley
Castro Valley	Dublin	Emeryville
Fremont	Hayward	Livermore
Newark	Oakland	Piedmont
San Lorenzo	San Leandro	Pleasanton
Union City		

- 2. *Points and places in the following cities in Contra Costa County:
Richmond El Cerrito

- C. San Jose International Airport (SJC).
- D. *Oakland International Airport (OAK).

SECTION III. ROUTE DESCRIPTION.

Route 1 SJC-Santa Clara

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

*Route 2 OAK-Alameda

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

Issued by California Public Utilities Commission.

*Revised by Decision 98-12-014, Application 98-07-004.