

Decision 99-03-038 March 18, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of DMITRY LITICHEVSKY, VLADIMIR SHAPIRO and NAUM VAKSMAN to transfer their stock interests and all other assets in Quake City Shuttle, Inc., a California corporation, to ALEKSANDR KOGEN, ALEKSANDR NUDELMAN, and FELIX KRAVETSKI. This request is made pursuant to Section 851, *et seq.* of the California Public Utilities Code.

ORIGINAL

Application 98-12-020
(Filed December 23, 1998)

O P I N I O N

Summary

Application to transfer ownership of Quake City Shuttle, Inc. is granted.

Discussion

Dimitry Litichevsky, Vladimir Shapiro, and Naum Vaksman (Transferors) request authority to sell and transfer their shares of Quake City Shuttle, Inc. (Quake City), a California corporation holding passenger stage certificate PSC-9682 and charter party carrier permit TCP-9682 to Aleksandr Kogen, Aleksandr Nudelman, and Felix Kravetski (Buyers) pursuant to Public Utilities (Pub. Util.) Code Section 851, *et seq.* The passenger stage corporation operates an on-call door-to-door service between all points within the Counties of Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara, on the one hand, and the San Francisco International Airport (SFO) and the Oakland International Airport (OAK). This authority was granted by Decision 96-12-012.

Transferors presently own 100% of the shares of Quake City and propose to transfer all these shares to Buyers for \$220,000, \$150,000 to be paid at close of escrow and the remainder over a period of 18 months with interest at 8% per annum.

The application states that each of Buyers has at least two years of experience as a driver in door-to-door operations to local airports, as well as experience in the business operations of this type of enterprise. In addition, Mr. Litichevsky will stay with Quake City as a driver and assist with the operations of the business.

Accompanying the application is a balance sheet showing intangible assets of \$209,800 and tangible assets of \$25,200. A profit and loss statement covering January-October, 1998 shows a net income of \$2,149.48.

The application requests waiver of service of this application as required by Rule 21(k) of the Commission's Rules of Practice and Procedure. By separate letter we have been informed that copies of the application has been mailed to the airports and counties served by Quake City.

Notice of this application appeared in the Commission's Daily Calendar on December 24, 1998. In Resolution ALJ 176-3007, dated January 7, 1999, the Commission preliminarily categorized this application as ratesetting and preliminarily determined that a hearing was not necessary. There have been no protests. The Commission's Rail Safety and Carriers Division recommends that this application be granted. Given these developments, a public hearing is not necessary and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3007.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

Findings of Fact

1. Transferors own 100% of the shares of Quake City, a corporation holding PSC 9682 and TCP 9682.
2. Quake City operates an on-call, door-to-door airport shuttle between all points in the Counties of Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara and SFO and OAK.
3. Transferors wish to sell and transfer all of their shares of Quake City to Buyers.
4. Sale price for the shares of Quake City is \$220,000.
5. Buyers have each had at least two years experience as drivers and with the business operations of an on-call, door-to-door airport shuttle.
6. The transfer of ownership will be transparent to riders of Quake City.
7. One of the former owners will stay with Quake City as a driver and assist in operations under the new owners.
8. The application was served on airports and counties served by Quake City.
9. The application requests waiver of the requirement to individually serve copies of the application on all public transit operators in the territory in which Quake City operates.
10. Notice of the application appeared in the Commission's Daily Calendar on December 24, 1998. No protests have been received.

Conclusions of Law

1. The request to waive service of the application on all public transit operators in the area served by Quake City is granted.

2. The application should be granted.
3. Since this matter is noncontroversial the order should be made effective on the date it is signed.

O R D E R

IT IS ORDERED that:

1. The requested waiver of the requirement of service of the application on all public transit operators in the areas served by Quake City is granted.
2. The application is granted. Pursuant to Public Utilities Code Section 851 *et. seq.*, Aleksandr Kogen, Aleksandr Nudelman, and Felix Kravetski are authorized to acquire and control Quake City Shuttle, Inc., a California corporation, through the purchase of all the outstanding shares of stock in the corporation.
3. Buyer shall notify the Rail Safety and Carriers Division in writing within fifteen (15) days of the date the transaction closes
4. The authority granted by this order shall lapse unless it is exercised within ninety (90) days of the effective date of this order.
5. This proceeding is closed.

This order is effective today.

Dated March 18, 1999, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners