

Decision 99-07-010 July 8, 1999

5

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Mahnaz Fereidouni and Nassar Fraydouni, for authority to jointly control Advanced Airporter, Inc.

Application 99-03-059
(Filed March 30, 1999)

OPINION

Summary

Application of Nassar Fraydouni to sell 50% of the shares of Advanced Airporter, Inc. to Mahnaz Fereidouni granted.

Discussion

Nassar Fraydouni, sole owner of the shares of Advance Airporter, Inc., (Advanced) wishes to sell 50% of the shares of Advanced to his sister, Mahnaz Fereidouni. Advanced holds a certificate of public convenience and necessity to operate an on-call, airport shuttle service between points in Alameda, Contra Costa, Marin, San Mateo, San Francisco, and Santa Clara Counties and the Oakland, San Francisco, and San Jose International Airports (PSC-8267). It also holds charter-party of passengers authority TCP-8267-P.

The purpose of the transfer of the shares is to allow Mahnaz Fereidouni to become an investor and half-owner of Advanced. There will be no change in the operation of Advanced. Nassar Fraydouni will remain President. Attached to the application, or supplied as supplements to the application, are an unaudited balance sheet as of December 31, 1998, and a list of equipment of Advanced.

Notice of the application appeared in the Commission's Daily Calendar on April 2, 1999. There have been no protests.

In Resolution ALJ 176-3014, dated April 22, 1999, the Commission preliminarily categorized the application as ratesetting and preliminarily determined that a hearing was not necessary. 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 176-3014.

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.

One further comment is appropriate. We note that the application was filed on March 30, 1999. In the Scoping Memo Information for Applications attached to the application, the attorney responsible for composing the application indicated that should the Commission decide to hold hearings, the schedule for a prehearing conference and the actual hearing should be April 1, 1999, with briefs due April 8, 1999. We trust that this was purely a typographical error. We recommend that counsel take greater care in proofreading his applications in the future.

Findings of Fact

1. Nasser is the sole shareholder of Advanced (PSC-8267).
2. His sister, Mahnaz Fereidouni, wishes to become an investor in Advanced and wishes to purchase one-half of the shares of Advanced.
3. Nassar Fraydouni will continue to manage Advanced as its President.
4. The financial sheet and equipment list indicate the purported condition of Advanced as of December 31, 1998.

5. Granting this application should not be adverse to the public, since the only change is in ownership of shares under the same management.

Conclusions of Law

1. Advanced will continue to have the requisite financial, physical, and management necessary to serve the public.
2. Granting the application will not be adverse to the public interest.
3. Public hearings are not necessary in view of the lack of protests.

O R D E R

IT IS ORDERED that:

1. Pursuant to Pub. Util. Code § 851 et. seq., Mahnaz Fereidouni (buyer) is authorized to acquire from Nassar Fraydouni (seller) 50% of the shares of Advance Airporter, Inc., a corporation.
2. Within fifteen (15) days of the date of the transaction closes, buyer shall notify the Rail Safety and Carriers Division in writing hereof.
3. The authority granted by this order shall lapse unless it is exercised within 90 days of the effective date of this order.
4. The application is granted as set forth above.
5. This proceeding is closed.

Dated July 8, 1999, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
JOEL Z. HYATT
CARL W. WOOD
Commissioners