

Decision 99-11-011. November 4, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Narjes Khanian dba A Royal Shuttle, for a certificate of public convenience and necessity to operate passenger stage service between the cities of Orange and John Wayne Airport located in Orange County.

Application 99-01-026
(Filed January 25, 1999;
amended August 19, 1999)

O P I N I O N

Summary

This decision grants the application of Narjes Khanian (Applicant), an individual, pursuant to Pub. Util. Code § 1031 et seq., for a certificate of public convenience and necessity to operate as a passenger stage corporation (PSC), as defined in Pub. Util. Code § 226.

Discussion

Applicant requests authority in this application, as amended, to operate an on-call PSC to transport passengers and their baggage between points in the County of Orange and John Wayne Airport (SNA). Applicant will service the proposed operation with two seven-passenger vans. The proposed fares, as listed in Exhibit A, attached to the amended application, range between \$14 (Costa Mesa - SNA) and \$34 (Dove Canyon - SNA). Exhibit C, attached to the amended application, is the unaudited Balance Sheet as of November 30, 1998 that discloses total assets of \$18,123 and total liabilities of \$8,361. Net worth is \$9,762.

Notice of filing of the application, as amended, appeared in the Commission's Daily Calendar on January 27, 1999 and August 27, 1999. The Applicant notified the affected cities.

In Resolution ALJ 176-3009 dated February 5, 1999, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3009.

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

Findings of Fact

1. Applicant requests authority in this application, as amended, to operate an on-call PSC to transport passengers and their baggage between points in Orange County and SNA.
2. Public convenience and necessity requires 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. Public convenience and necessity has been demonstrated and the application, as amended, should be granted.
2. 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 Narjes Khanian (Applicant), an individual, authorizing her to operate as a passenger stage corporation, as defined in Pub. Util. Code § 226, to transport persons and their baggage, between the points and over the route set forth in Appendix PSC-10814, 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 Pub. Util. 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 Pub. Util. Code § 403 when notified by mail to do so.
 - h. Comply with Pub. Util. 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 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 her 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-10814), granted herein, expires, unless exercised within 120 days after the effective date of this order.
6. The Application, as amended, is granted as set forth above.
7. This proceeding is closed.

This order is effective today.

Dated November 4, 1999, at San Francisco, California.

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

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION
PSC-10814

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.

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

Narjes Khanian, 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 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 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 IIB.
- d. This certificate does not authorize the holder to conduct any operation on the property of any airport unless such operation is authorized by the airport authority involved.

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SECTION II. SERVICE AREA.

- A. Within points and places in the County of Orange.

- B. John Wayne Airport.

SECTION III. ROUTE DESCRIPTION.

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

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