

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Amandeep Kaur, dba A Airporter for a Certificate of Public Convenience and Necessity to operate as an on-call, door-to-door, Passenger Stage Service between the following Counties: Alameda, Contra Costa, Marin, Napa, Sacramento, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, San Francisco, Stanislaus and Tehama and the following International Airports: San Francisco, Oakland and San Jose; and to establish a Zone of Rate Freedom.

Application 12-10-006
(Filed October 8, 2012)

D E C I S I O N**Summary**

This decision grants the application of Amandeep Kaur, 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, as defined in Pub. Util. Code § 226, and to establish a Zone of Rate Freedom, pursuant to Pub. Util. Code § 454.2.

Discussion

Amandeep Kaur, dba A Airporter, (applicant) requests authority to operate as an on-call Passenger Stage Corporation (PSC) to transport passengers and their baggage between points in Alameda, Contra Costa, Marin, Napa, Sacramento, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, San Francisco, Stanislaus and Tehama, on the one hand, San Francisco (SFO), Oakland (OAK), and San Jose (SJC) International Airports, on the other hand.

Applicant states that there has been an increase in airline traffic at the involved airports. He points to Southwest Airlines in particular as an air carrier that has expanded its flight schedule. Higher parking fees have also caused more passengers to use shared-ride airport shuttle services.

Applicant has held a transportation charter party (TCP) carrier permit (TCP 29011-P) since May 2012. He will conduct PSC operations initially with one 5-passenger van. Attached to the application as Exhibit E is Applicant's balance sheet that discloses assets of \$20,500, liabilities of \$700, and net worth of \$19,800.

The proposed fares, as described in Exhibit A of the application, range between \$25 (Burlingame - SFO) and \$450 (Tehama - SJC). Applicant requests authority to establish a Zone of Rate Freedom (ZORF) of \$20 above and below the proposed fares. The minimum fare will be \$15. Applicant will compete with other PSCs, taxicabs, charter limousines and sedans, public transit, and private automobiles in his service area. This highly competitive environment should result in Applicant pricing his services at a reasonable level. Many other PSCs have been granted ZORFs. The requested ZORF is generally consistent with the ZORFs held by other PSCs.

Notice of filing of the application appeared in the Commission's Daily Calendar on October 15, 2012. Applicant mailed a notice of the application to 71 cities and the transportation planning agencies in the service area. He believes the Commission's Daily Calendar provides adequate notice to parties that may have an interest in the application.

In Resolution Administrative Law Judge (ALJ) 176-3303, dated October 25, 2012, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not

necessary to alter the preliminary determinations made in Resolution ALJ 176-3303.

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.

Safety Considerations

In order to be authorized to commence operations as a passenger stage corporation, the applicant must comply with the following requirements in order to protect public safety: Proof of adequate insurance, compliance with the controlled substance and alcohol testing program pursuant to Pub. Util. Code §1032.1 and General Order Series 158, and enrollment in the pull notice system as required by Section 1808.1 of the Vehicle Code.

Assignment of Proceeding

Emory J. Hagan, III is the assigned Examiner in this proceeding.

Findings of Fact

1. The application requests authority to operate as an on-call PSC to transport passengers and their baggage between points in Alameda, Contra Costa, Marin, Napa, Sacramento, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, San Francisco, Stanislaus and Tehama, on the one hand, and SFO, OAK, and SJC, on the other hand.
2. Public convenience and necessity requires the proposed service.
3. Applicant requests authority to establish a ZORF of \$20 above and below the proposed fares described in Exhibit A of the application. The minimum fare will be \$15.

4. Applicant will compete with other PSCs, taxicabs, charter limousines and sedans, public transit, and private automobiles in his operations. The ZORF is fair and reasonable.

5. Applicant served a notice of the application to 71 cities and the transportation planning agencies in the service area.

6. No protest to the application has been filed.

7. A public hearing is not necessary.

8. 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 should be granted.

2. The request for a ZORF should be granted.

3. Before Applicant changes any fares under the ZORF authorized below, Applicant should give this Commission at least ten days' notice. The tariff should show the high and low ends of the ZORF and the then currently effective fare between each pair of service points.

4. Since the matter is uncontested, the decision should be effective on the date it is signed.

O R D E R

IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted to Amandeep Kaur, an individual, authorizing him to operate as a Passenger Stage Corporation (PSC), as defined in Pub. Util. Code § 226, to transport passengers and their baggage between the points and over the routes set forth in Appendix PSC-29011, subject to the conditions contained in the following paragraphs.

2. Amandeep Kaur shall:

- a. File a written acceptance of this certificate within 30 days after this decision is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this decision is effective.
- c. File tariffs on or after the effective date of this decision. They shall become effective ten days or more after the effective date of this decision, provided that the Commission and the public are given not less than ten days' notice.
- d. Comply with Commission General Orders Series 101 and 158, and the California Highway Patrol safety rules.
- e. Comply with the Commission's controlled substance and alcohol testing certification program pursuant to Pub. Util. Code § 1032.1 and General Order Series 158.
- f. Remit to the Commission the Transportation Reimbursement Fee required by Pub. Util. Code § 423 when notified by mail to do so.
- g. Comply with Pub. Util. Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
- h. Enroll all drivers in the pull notice system as required by Vehicle Code § 1808.1.

3. Amandeep Kaur is authorized under Pub. Util. Code § 454.2 to establish a Zone of Rate Freedom of \$20 above and below the proposed fares described in the application. The minimum fare will be \$15.

4. Amandeep Kaur shall file a Zone of Rate Freedom (ZORF) tariff in accordance with the application on not less than ten days' notice to the Commission and to the public. The ZORF shall expire unless exercised within 120 days after the effective date of this decision.

5. Amandeep Kaur may make changes within the Zone of Rate Freedom by filing amended tariffs on not less than ten days' notice to the Commission and to

PROPOSED DECISION

the public. The tariff shall include the authorized maximum and minimum fares and the fare to be charged between each pair of service points.

6. In addition to posting and filing tariffs, Amandeep Kaur shall post notices explaining fare changes in his terminals and passenger-carrying vehicles. Such notices shall be posted at least ten days before the effective date of the fare changes and shall remain posted for at least 30 days.

7. Amandeep Kaur (applicant) is authorized to begin operations on the date that the Commission's Safety and Enforcement Division mails a notice to applicant that his evidence of insurance and other documents required by Paragraph 2 have been filed with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

8. Before beginning service to any airport, Amandeep Kaur (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.

9. The Public Convenience and Necessity to operate as Passenger Stage Corporation-29011 granted herein, expires unless exercised within 120 days after the effective date of this decision.

10. The Application is granted as set forth above.

11. This proceeding is closed.

This decision is effective today.

Dated _____, at San Francisco, California.

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-29011

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.

I N D E X

	Page
SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.....	2
SECTION II. SERVICE AREA	3
SECTION III. ROUTE DESCRIPTIONS	3

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

Amandeep Kaur, 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 the points described in Section II, over 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 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 shall show the conditions under which each authorized on-call service will be provided, and shall include the description of the boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.
- 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.

SECTION II. SERVICE AREA.

- A. Points in the Counties of Alameda, Contra Costa, Marin, Napa, Sacramento, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, San Francisco, Stanislaus and Tehama
- B. San Francisco International Airport (SFO).
Oakland International Airport (OAK).
San Jose International Airport (SJC).

SECTION III. ROUTE DESCRIPTIONS

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