

Decision **PROPOSED DECISION OF EXAMINER ELIZAVETA MALANSHENKO** (Mailed 10/16/15)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Abdul Rahim Popal, dba Bay Transit Shuttle to Expand Passenger Stage Certificate 11359 to include the Counties of Marin, Napa, San Joaquin, San Mateo, Santa Clara, Solano and Sonoma and the San Jose International Airport; and to establish a Zone of Rate Freedom.

Application 12-08-022
(Filed August 31, 2012)

DECISION DISMISSING APPLICATION

Summary

This decision dismisses the application of Abdul Rahim Popal, dba Bay Transit Shuttle, to revise his certificate of public convenience and necessity and to establish a Zone of Rate Freedom.

1. Discussion

Abdul Rahim Popal, dba Bay Transit Shuttle (Applicant) provided on-call Passenger Stage Corporation (PSC) service under a certificate granted by Decision (D.) 99-12-014, (PSC-11359) which authorized the transportation of passengers and their baggage between points in San Francisco, Alameda, and Contra Costa, on the one hand, and San Francisco (SFO) and Oakland (OAK) International Airports, on the other hand. Applicant filed the present application on August 31, 2012, requesting authority to expand the service area and to establish a Zone of Rate Freedom.

On June 4, 2013, Applicant submitted to the Safety and Enforcement Division (SED) a Request for Voluntary Suspension of Charter-Party Authorities

for PSC-11359, citing inability to work and high gasoline prices. On October 18, 2014, SED revoked license PSC-11359 for failure to maintain adequate insurance.

The Applicant no longer has authority to operate as a PSC and the present application should therefore be dismissed.

2. Comments on Proposed Decision

The proposed decision of Examiner Malashenko in this matter was mailed to parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under and Rule 14.3 of the Rules of Practice and Procedure. No comments were filed.

3. Assignment of Proceeding

Elizaveta I. Malashenko is the assigned Examiner in this proceeding.

Findings of Fact

1. Applicant requests authority to expand PSC-11359 operating authority and to establish a ZORF.
2. Applicant failed to maintain adequate insurance and operating authority PSC-11359 was revoked by SED on October 15, 2014.
3. There is no reason to keep this proceeding open.

Conclusion of Law

The application should be dismissed and the proceeding should be closed.

O R D E R

IT IS ORDERED that:

1. The application of Abdul Rahim Popal, dba Bay Transit Shuttle is dismissed.

2. This proceeding is closed.

This decision is effective today.

Dated , _____ at San Francisco, California.