

Decision 10-11-015 November 19, 2010

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of Mohammad Hamidi to sell and transfer his ownership of BABES Airporter (PSC-25969) to Mohebullah Ahmadi.

Application 10-08-012  
(Filed August 19, 2010)

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

**Summary**

This decision grants the application to transfer, pursuant to Pub. Util. Code § 851 et seq., a passenger stage corporation (PSC) certificate from Mohammad Hamidi (Transferor), an individual, to Mohebullah Ahmadi (Transferee), an individual.

**Discussion**

Transferor holds a PSC certificate authorizing the transportation of passengers and their baggage on an on-call basis between points in Alameda, Contra Costa, San Francisco, and San Mateo Counties, on the one hand, and San Francisco (SFO), Oakland (OAK), and San Jose (SJC) International Airports, on the other hand. The certificate was granted by Decision (D.) 10-05-036. The application requests approval to transfer certificate PSC-25969 to Transferee.

The proposed transaction is described in the Purchase and Sale Agreement attached to the application as Exhibit A. Transferee has agreed to purchase the certificate for \$2,000. Transferee advises that he has the knowledge and ability to assume the operation of Transferor's PSC business. He has many years of experience as a driver of airport shuttles and taxicabs in the San Francisco Bay

Area. Transferee reports that he will operate initially with one 7-passenger van and will add other equipment as needed to meet the public's service needs. His financial statement as of July 25, 2010, discloses assets of \$164,000 and no liabilities.

Notice of filing of the application appeared in the Commission's Daily Calendar on August 25, 2010.

In Resolution ALJ 176-3260 dated September 2, 2010, 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 176-3260.

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.

### **Assignment of Proceeding**

Richard Clark is the assigned Examiner in this proceeding.

### **Findings of Fact**

1. Transferor holds a PSC certificate granted by D.10-05-036.
2. The application requests approval to transfer the PSC authority to Transferee.
3. The proposed transfer will not be adverse to the public interest.
4. No protest to the application has been filed.
5. A public hearing is not necessary.

### **Conclusions of Law**

1. The proposed transfer is in the public interest and should be authorized.

2. 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. Within 120 days from the effective date of this decision, Mohammad Hamidi (Transferor), an individual, may transfer the operative rights specified in this application to Mohebullah Ahmadi (Transferee), an individual, subject to the conditions contained in the following paragraphs.

2. Transferee shall:

- a. File a written acceptance of this certificate within 30 days after this decision is effective.
- b. Establish the authorized service within 120 days after this decision is effective, adopt Transferor's tariffs and timetables or issue new tariffs and timetables, state in them when the service will start, make them effective ten or more days after this decision is effective and allow at least ten days' notice to the Commission.
- c. Comply with General Orders Series 101 and 158, and the California Highway Patrol (CHP) safety rules.
- d. Comply with the Commission's controlled substance and alcohol testing certification program pursuant to Pub. Util. Code § 1032.1 and General Order Series 158.
- e. Remit to the Commission the Transportation Reimbursement Fee required by Pub. Util. Code § 423 when notified by mail to do so.
- f. Comply with Pub. Util. Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
- g. Enroll all drivers in the pull notice system as required by Vehicle Code § 1808.1.

3. Transferee is authorized to begin operations on the date that the Consumer Protection and Safety Division mails a notice to Transferee that his 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 Transferee's vehicles for service.

4. The certificate of public convenience and necessity (CPCN) granted to Transferor by Decision 10-05-036 is revoked on the date Transferee is notified that he may commence operations as provided in Ordering Paragraph 3.

5. The CPCN to operate as PSC-26700, granted herein, shall expire unless exercised within 120 days after the effective date of this decision.

6. The Application is granted as set forth above.

7. This proceeding is closed.

This decision is effective today.

Dated November 19, 2010, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
DIAN M. GRUENEICH  
JOHN A. BOHN  
TIMOTHY ALAN SIMON  
NANCY E. RYAN  
Commissioners

CPSD/pw

Appendix PSC-26700

Mohebullah Ahmadi  
(an individual)

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-26700

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Showing passenger stage operative rights, restrictions,  
limitations, exceptions, and privileges.

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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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Supersedes the authority heretofore granted to Mohammad Hamidi,  
an individual, by Decision 10-05-036.

Issued under authority of Decision 10-11-015, dated November 19, 2010, of the  
Public Utilities Commission of the State of California in Application 10-08-012.

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

This certificate supersedes all passenger stage operative authorities granted to Mohammad Hamidi, an individual.

Mohebullah Ahmadi, 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, San Francisco, and San Mateo.
- B. San Francisco International Airport (SFO).  
Oakland International Airport (OAK).  
San Jose International Airport (SJC).

SECTION III. ROUTE DESCRIPTION

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