

Decision 12-06-034 June 21, 2012

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

In the Matter of the Application of Chang Jie Wu for authority to control Peter Stojka Company, Inc., dba Peters Airport Shuttle (PSC 8146), pursuant to Section 854 of the California Public Utilities Code.

Application 12-04-022  
(Filed April 24, 2012)

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

**Summary**

This decision grants the application of Michael Wu (Seller) and Chang Jie Wu (Buyer) to transfer ownership of Peter Stojka Company, Inc. (Company) pursuant to Pub. Util. Code § 854.

**Discussion**

The application requests approval to transfer control of Company from Seller to Buyer. Company is authorized by Decision (D.) 92-11-041 to operate as an on-call passenger stage corporation (PSC-8146) to transport passengers and their baggage between points in San Francisco, San Mateo, Santa Clara, Alameda, and Contra Costa Counties, on the one hand, and San Francisco International (SFO), Oakland International (OAK), and San Jose International (SJC) Airports, on the other hand.

Seller owns all of the issued and outstanding shares of stock of Company. Seller has entered into a Business Stock Sale Agreement with Buyer to sell to him all of the corporate stock and thereby transfer control of Company. A copy of the Agreement is attached to the application as Exhibit A. The final sales price at the

closing of the Agreement will be between \$59,000 and \$79,000, depending on the number of Seller's five airport shuttle permits issued by SFO that Buyer will be allowed to utilize.

Buyer indicates that he has the knowledge and ability to operate the PSC service as it has been conducted in the past. His background includes extensive experience providing passengers with airport ground transportation in the San Francisco Bay Area. Buyer has held a permit from the Commission to operate as a charter-party carrier since January 2009. He has three 9-passenger vans that will be utilized initially in the service. Attached to the application as Exhibit C is Buyer's unaudited balance sheet as of April 1, 2012, that discloses assets of \$160,000, liabilities of \$26,000, and net worth of \$134,000.

Notice of filing of the application appeared in the Commission's Daily Calendar on April 26, 2012.

In Resolution ALJ 176-3293 dated May 10, 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 176-3293.

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**

Emory Hagan is the assigned Examiner in this proceeding.

### **Findings of Fact**

1. Company is authorized to operate as an on-call PSC serving SFO, OAK, and SJC pursuant D.92-11-041.

2. Seller owns all of the outstanding shares of stock of Company.
3. Buyer requests authority to purchase Seller's interest in Company.
4. Buyer has the knowledge and ability to conduct the PSC operation.
5. The proposed transfer of control will not be adverse to the public interest.
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. The proposed sale of 100% interest in Company 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. Pursuant to Pub. Util. Code § 854, Chang Jie Wu (Buyer) is authorized to acquire control of Peter Stojka Company, Inc. through the purchase of all of the outstanding corporate stock from Michael Wu.
2. Within fifteen (15) days of the date the transaction closes, Buyer shall notify the Commission's Consumer Protection and Safety Division in writing thereof.
3. The authority granted herein shall lapse unless it is exercised within 90 days of the effective date of this decision.

4. This proceeding is closed.

This decision is effective today.

Dated June 21, 2012, at San Francisco, California.

MICHAEL R. PEEVEY

President

TIMOTHY ALAN SIMON

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

MARK J. FERRON

Commissioners