

Decision 11-09-029 September 22, 2011

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

Application of One More Chance Transportation, LLC for a Certificate of Public Convenience and Necessity to Establish and Operate as a Common Carrier Passenger Stage Company to provide fixed point to point shared ride services with scheduled pick-up times in Alameda County to fixed points in the following Counties: Madera, San Joaquin, Solano, Monterey, Tuolumne, and Sacramento.

Application 11-05-010  
(Filed May 6, 2011)

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

**Summary**

This decision grants the application of One More Chance Transportation, LLC (Applicant), a limited liability company, 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**

The application, as supplemented by a letter dated July 7, 2011, requests authority to operate as a scheduled PSC to transport passengers between Oakland and San Leandro, on the one hand, and 13 state correctional facilities,<sup>1</sup>

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<sup>1</sup> The facilities are Folsom State Prison and California State Prison, Sacramento (Represa), Mule Creek State Prison (Ione), California Medical Facility and California State Prison, Solano (Vacaville), Deuel Vocational Institution (Tracy), Valley State Prison for Women and Central California Women's Facility (Chowchilla), Sierra Conservation Center (Jamestown), Correctional Training Facility and Salinas Valley

*Footnote continued on next page*

on the other hand. Applicant desires to offer a service that will enable individuals with limited transportation options to visit family members who are incarcerated at the state institutions.

The service will operate over six routes, with up to four facilities being served on a single route. Only one route will be operated on any given day. Passengers will be picked up and returned to the vicinity of either the Bay Fair Bay Area Rapid Transit (BART) Station in San Leandro or the Coliseum BART Station in Oakland. Advance reservations will be required. The proposed adult round-trip fare is \$70.

One 12-passenger van will be used to provide service. Applicant's owner has two years' experience driving commercial vehicles. Attached to the application as Exhibit E is Applicant's financial statement that discloses assets of \$24,250, liabilities of \$4,300, and net worth of \$19,950.

Notice of filing of the application appeared in the Commission's Daily Calendar on May 11, 2011. Applicant sent a notice of the application to the involved cities and correctional facilities.

In Resolution ALJ 176-3274 dated May 26, 2011, 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 176-3274.

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State Prison (Soledad), Pleasant Valley State Prison (Coalinga), and Avenal State Prison (Avenal).

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. The application requests authority to operate as a scheduled PSC to transport passengers between San Leandro and Oakland, on the one hand, and 13 state correctional facilities, on the other hand.
2. Public convenience and necessity requires the proposed service.
3. No protest to the application has 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 should be granted.
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. A certificate of public convenience and necessity (CPCN) is granted to One More Chance Transportation, LLC, a limited liability company, authorizing it to operate as a passenger stage corporation (PSC), as defined in Pub. Util. Code § 226, to transport passengers between the points and over the routes set forth in

Appendix PSC-28032, 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 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 General Orders Series 101 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. 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. Applicant is authorized to begin operations on the date that the Consumer Protection and Safety Division mails a notice to Applicant that its 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.

4. 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.

5. The CPCN to operate as PSC-28032, granted herein, expires 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 September 22, 2011, at San Francisco, California.

MICHAEL R. PEEVEY

President

TIMOTHY ALAN SIMON

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

MARK J. FERRON

Commissioners

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-28032

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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.

**I N D E X**

	<b>Page</b>
SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS.....	2
SECTION II. SERVICE AREAS .....	3
SECTION III. ROUTE DESCRIPTION .....	3

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

One More Chance Transportation, LLC, a limited liability company, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to transport passengers on a scheduled 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. Service shall be operated only at the points described in Section II. A description of all the stop points and the arrival and departure times from such points shall be indicated in the timetable filed with the Commission.
- C. 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 AREAS.

- A. The vicinity of the Bay Fair BART Station, San Leandro  
The vicinity of the Coliseum BART Station, Oakland
- B. Folsom State Prison (Represa)  
California State Prison, Sacramento (Represa)  
Mule Creek State Prison (Ione)  
California Medical Facility (Vacaville)  
California State Prison, Solano (Vacaville)  
Deuel Vocational Institution (Tracy)  
Valley State Prison for Women (Chowchilla)  
Central California Women's Facility (Chowchilla)  
Sierra Conservation Center (Jamestown)  
Correctional Training Facility (Soledad)  
Salinas Valley State Prison (Soledad)  
Pleasant Valley State Prison (Coalinga)  
Avenal State Prison (Avenal)

SECTION III. ROUTE DESCRIPTION.

Commencing from either point named in Section IIA, then over the most convenient streets and highways to any state correctional facility named in Section IIB.