

Decision 11-09-030 September 22, 2011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Gurdial Singh Dhillon to transfer his ownership of Bay Star Airport Shuttle and his PSC Certificate 24415 to a General Partnership comprised of the following principals: Harinder Singh Dhillon, Gurdial Singh Dhillon, Dhian Singh Dhillon and Karamjit Singh Dhillon.

Application 11-07-012
(Filed July 11, 2011)

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 Gurdial Singh Dhillon (Transferor), an individual, to Harinder Singh,¹ Gurdial Singh Dhillon, Dhian Singh Dhillon, and Karamjit Singh Dhillon (Transferees), a partnership.

Discussion

Transferor holds a PSC certificate authorizing the transportation of passengers and their baggage on an on-call basis between certain cities in Alameda, Contra Costa, Marin, San Joaquin, San Mateo, Santa Clara, and Solano Counties, and the City and County of San Francisco, 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.) 10-05-033.

¹ Harinder Singh's name was incorrectly shown in the caption as Harinder Singh Dhillon at the time of initial filing of the application with the Commission's Docket Office.

Transferor desires to change the operation's business structure from a sole proprietorship to a partnership comprised of himself and three sons. He requests approval to transfer certificate PSC-24415 to Transferees. The application indicates the transfer will not affect the service that is currently being provided to the public. For the past year Harinder Singh has been employed in the business as a dispatcher and manager. He will continue to manage day-to-day operations once the transfer is completed.

Transferees have two 8-passenger vans available for service. They state they are financially able to acquire additional equipment if needed to meet the public's transportation needs. Attached to the application is Transferees' unaudited balance sheet as of March 27, 2011, that discloses assets of \$60,000, liabilities of \$30,000, and net worth of \$30,000.

Notice of filing of the application appeared in the Commission's Daily Calendar on May 27, 2011.

In Resolution ALJ 176-3278 dated July 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 176-3278.

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

Michelle Cooke is the assigned Examiner in this proceeding.

Findings of Fact

1. Transferor holds a PSC certificate granted by D.10-05-033.

2. The application requests approval to transfer the PSC authority to Transferees.

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, Gurdial Singh Dhillon, an individual, may transfer the operative rights specified in this application to Harinder Singh, Gurdial Singh Dhillon, Dhian Singh Dhillon, and Karamjit Singh Dhillon, a partnership, subject to the conditions contained in the following paragraphs.

2. Transferees 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. Transferees are authorized to begin operations on the date that the Consumer Protection and Safety Division mails a notice to Transferees that their 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 Transferees' vehicles for service.

4. The certificate of public convenience and necessity (CPCN) granted to Transferor by Decision 10-05-033 is revoked on the date Transferees are notified that they may commence operations as provided in Ordering Paragraph 3.

5. The CPCN to operate as PSC-27958, 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 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-27958

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.

Supersedes the authority heretofore granted to Gurdial Singh Dhillon,
an individual, by Decision 10-05-033.

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

This certificate supersedes all passenger stage operative authorities granted to Gurdial Singh Dhillon, an individual.

Harinder Singh, Gurdial Singh Dhillon, Dhian Singh Dhillon, and Karamjit Singh Dhillon, a partnership, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, are 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 following cities (by county):

Alameda County: Alameda, Berkeley, Fremont, Livermore, Oakland, Pleasanton, and Union City.

Contra Costa County: Concord, Richmond, San Ramon, and Walnut Creek.

Marin County: Corte Madera, Larkspur, Novato, San Rafael and Sausalito.

City and County of San Francisco

San Joaquin County: Stockton and Tracy.

San Mateo County: Atherton, Belmont, Burlingame, Menlo Park, Millbrae, Portola Valley, Redwood City, San Bruno, and San Mateo.

Santa Clara County: Cupertino, Gilroy, Mountain View, Los Altos, Palo Alto, San Jose, and Santa Clara.

Solano County: Vallejo.

- B. San Francisco International Airport.
Oakland International Airport.
San Jose International Airport.

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.