

**Consumer Protection and Safety  
Division**

Agenda ID 909  
**RESOLUTION TL-19009**  
**August 8, 2002**

**RESOLUTION**

**RESOLUTION GRANTING A PASSENGER STAGE CORPORATION  
CERTIFICATE TO MUNDO EXPRESS, INC.**

Mundo Express, Inc. (Applicant), a corporation, has been granted a certificate by the Federal Motor Carrier Safety Administration to operate as a common carrier of passengers in interstate, intrastate and foreign commerce (Docket MC 426043-C). Under terms of the certificate, Applicant may provide intrastate service only if it also provides substantial regularly scheduled interstate passenger transportation service on the same route. Further, in accordance with Title 49, United States Code, § 13902(b)(5), Applicant must take such action as is necessary to establish rates, rules, and practices under applicable State law.

Applicant has informed the Commission of its intention to conduct scheduled intrastate service in California over the same routes it regularly provides interstate service. It requests the Commission to issue a passenger stage corporation (PSC) certificate authorizing intrastate service pursuant to the provisions of Public Utilities (Pub. Util.) Code § 1032.5, which states:

“The Commission shall issue a certificate pursuant to this article to every passenger stage corporation which conducts intrastate passenger transportation service pursuant to federal operating authority, to the extent that regulation of these operations is not preempted by the federal Bus Regulatory Reform Act of 1982 (P.L. 97-261), as amended. The Commission may attach any conditions or limitations to the issuance of the certificate which it may specify, consistent with federal law and regulation.”

Applicant already conducts intrastate charter services under a charter-party carrier certificate issued by the Commission (TCP-15044).

This is an uncontested matter in which the resolution grants the relief requested. Accordingly, pursuant to Pub. Util. Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

### **FINDINGS**

1. The Federal Highway Administration has granted Applicant a certificate to operate as a common carrier of passengers in interstate, intrastate and foreign commerce under Docket MC 240705 SUB C.
2. Applicant intends to conduct scheduled intrastate passenger transportation service in California on routes over which it regularly provides interstate service.
3. Applicant has requested issuance of a PSC certificate under the provisions of Pub. Util. Code § 1032.5.
4. Applicant's request should be granted.

### **THEREFORE, IT IS ORDERED that:**

1. A certificate of public convenience and necessity is granted to Mundo Express, Inc. (Applicant), authorizing it to operate as a passenger stage corporation, as defined in Public Utilities (Pub. Util.) Code § 226, between the points and over the routes set forth in Appendix PSC-15044.
2. Applicant shall:
  - a. File a written acceptance of this certificate within 30 days after this resolution is effective.
  - b. Establish the authorized service and file tariffs and timetables within 120 days after this resolution is effective. Tariffs and timetables shall become effective ten days or more after the effective date of this resolution, provided that the Commission and the public are given not less than ten days' notice.
  - c. Comply with General Orders Series 101 and 158, and 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. Applicant is authorized to begin operations on the date that the Consumer Protection and Safety Division mails a notice to Applicant that the 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. The certificate to operate as PSC-15044, granted herein, expires unless exercised within 120 days after the effective date of this resolution.

This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted by the Commission at its regularly scheduled meeting on August 8, 2002. The following Commissioners voted favorably thereon:

/s/ WESLEY M. FRANKLIN

WESLEY M. FRANKLIN

Executive Director

LORETTA M. LYNCH

President

HENRY M. DUQUE

CARL W. WOOD

MICHAEL R. PEEVEY

Commissioners

Commissioner Geoffrey F. Brown, being necessarily absent, did not participate.

Appendix PSC-15044

Mundo Express, Inc.  
(a corporation)

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-15044

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

Mundo Express, Inc., a corporation, 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 a scheduled service, between points and places as described in Section II, and over and along the routes described in Section II, 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. A description of all the stop points to board or discharge passengers and the arrival and departure times from such points shall be indicated in the timetable filed with the Commission. The tariffs 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. Carrier is authorized to serve all intermediate points in Routes 1 through 13 described in Section II.
- 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.

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## SECTION II. ROUTE DESCRIPTIONS

- Route 1 Between the United States/Mexico International Boundary at San Ysidro (City of San Diego) and Sacramento over Interstate (I) 5.
- Route 2 Between Sacramento and junction (Jct.) of I-5 and Highway (Hwy) 99 near Wheeler Ridge over Hwy 99.
- Route 3 Between San Francisco and Los Angeles over Hwy 101.
- Route 4 Between San Francisco and the California/Nevada State Boundary over I-80.
- Route 5 Between Sacramento and the California/Nevada State Boundary over Hwy 50.
- Route 6 Between Jct. I-80 and I-580 at Oakland and Jct. I-580 and I-5 near Vernalis over I-580.
- Route 7 Between Tracy and Jct. I-5 and I-205 over I-205.
- Route 8 Between Jct. I-5 and Hwy 33 near Vernalis and Jct. I-5 and Hwy 33 near Wheeler Ridge over Hwy 33.
- Route 9 Between Tulare and Fresno over Hwy 63 and Hwy 180.
- Route 10 Between Lemoore and Lemon Cove over Hwy 198.
- Route 11 Between Jct. Hwy 198 and Hwy 65 near Exeter and Rosedale over Hwy 65.
- Route 12 Between Jct. I-5 and Hwy 58 near Bakersfield and Jct. Hwy 58 and I-15 at Barstow and the California/Nevada State Boundary over I-15.
- Route 13 Between Jct. Hwy 99 and Hwy 152 near Chowchilla and Gilroy over Hwy 152.