

Decision 12-04-017 April 19, 2012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Safe Ride Transportation, Inc. dba Pick Up Kids for a Certificate of Public Convenience and Necessity to operate as a Scheduled Passenger Stage Corporation that specializes in the transportation of Unaccompanied Children Between Points in the Cities of Alhambra, San Gabriel, San Marino, South Pasadena, Pasadena, Arcadia, Temple City and Monrovia, California.

Application 12-01-009
(Filed January 18, 2012)

D E C I S I O N

Summary

This decision grants the application of Safe Ride Transportation Inc. (Applicant), a corporation, 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 requests authority to operate as an on-call,¹ door-to-door PSC to transport children to and from school, daycare, after school programs or sports, or a parent's place of employment. The transportation will be provided

¹ While the application caption refers to "scheduled" service, the transportation service described in the application is closer to an on-call service. Applicant confirmed in correspondence dated February 17, 2012, that the service should be characterized as on-call.

in eight cities located in the San Gabriel Valley: Alhambra, San Gabriel, San Marino, South Pasadena, Pasadena, Arcadia, Monrovia, and Temple City.

Applicant indicates it will offer a unique, safe and reliable transportation service exclusively for children. It states there a need for the service because most parents do not have jobs that allow them to be off work when their children get out of school. The average commute time in Los Angeles County is one hour. Many parents are uneasy about letting their children walk home from school, but school extended day programs are limited, there are few childcare resources that include transportation, and carpools can be unreliable. Applicant believes its proposed service can eliminate the stress these families deal with and give them peace of mind that their children will be safe and where they need to be until the parents get home from work. Applicant reports that of the eight public school districts in the proposed service area, only two offer school bus transportation for the general student population, and those are on a very limited basis.

Fares will range between \$9 and \$12 one way and between \$16 and \$22 round trip. Weekly rates will be available, ranging from \$40 to \$55 one way and from \$70 to \$100 round trip. Service will be provided initially with one 8-passenger van. Applicant's financial statement shows \$22,000 in cash available to commence operations.

Decision (D.) 97-07-063 in Rulemaking 95-08-002 adopted rules applicable to carriers primarily engaged in the transportation of unaccompanied children² under the age of 18 years in vehicles that accommodate not more than ten

² The term "unaccompanied children" as used in D.97-07-063 includes transportation of an affiliated adult accompanying a child during, or incidental to, the transportation at issue.

persons. These rules, contained in Appendix A of the decision, are applicable to the requested service of Applicant, and are in addition to any other requirements that apply to all PSCs.

In accordance with the requirements of Appendix A of D.97-07-063, company owner Guadalupe Ceballos had her name entered into the TrustLine Registry.³ Under our rules, any future drivers or personnel coming into physical contact with infant and children passengers will also have to be registered with the TrustLine.

Notice of filing of the application appeared in the Commission's Daily Calendar on January 20, 2012. Applicant mailed a copy of the application to the public transit operators in the service territory and sent a notice of the application to the involved cities and county. Additionally, in compliance with Ordering Paragraphs 7 and 8 of D.97-07-063, Applicant notified each public school superintendent and pediatric health director in the service territory of the application, and had a notice published on February 23 and 24, 2012, in the *San Gabriel Valley Tribune*, a California newspaper of general circulation.

In Resolution ALJ 176-3288 dated February 1, 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 176-3288.

³ The TrustLine Registry is a screening program of caregivers administered by the state Department of Social Services and the nonprofit California Child Care Resource and Referral Network. Caregivers registered with the TrustLine have been fingerprinted and have cleared a criminal background check by the state Department of Justice.

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. The application requests authority to operate as an on-call PSC to transport children between points in eight cities located in the San Gabriel Valley.
2. Public convenience and necessity requires the proposed service.
3. The rules and regulations for the transportation of children contained in Appendix A of D.97-07-063 are applicable to the service involved in this application.
4. Applicant has complied with the notice requirements prescribed in Ordering Paragraphs 7 and 8 of D.97-07-063.
5. Applicant's owner is registered in the TrustLine Registry.
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. Public convenience and necessity has been demonstrated and the application should be granted.
2. Applicant should be required to comply with the rules and regulations contained in Appendix A of D.97-07-063, in addition to any other requirements applicable to all PSCs.

3. 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 Safe Ride Transportation Inc. (Applicant), a corporation, authorizing it to operate as a passenger stage corporation (PSC), as defined in Pub. Util. Code § 226, to transport unaccompanied children under the age of 18 years and affiliated adults who are being transported in accordance with the rules and regulations contained in Appendix A of Decision 97-07-063, and their baggage, between the points and over the routes set forth in Appendix PSC-28592, 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, 104, 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.
 - i. Comply with the "Adopted Rules for Infant and Children Common Carriers" contained in Appendix A of Decision 97-07-063.
- 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-28592, 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 April 19, 2012, 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-28592

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.

♦Each vehicle shall contain this identifying symbol on its front and rear bumpers,
visible at a minimum of 100 feet in accordance with the rules contained in Appendix A
of Decision 97-07-063.

Issued under authority of Decision 12-04-017, dated April 19, 2012, of the Public
Utilities Commission of the State of California in Application 12-01-009.

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♦Each vehicle shall contain this identifying symbol on its front and rear bumpers, visible at a minimum of 100 feet in accordance with the rules contained in Appendix A of Decision 97-07-063.

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

Safe Ride Transportation 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 operate as an on-call, door-to-door passenger stage corporation specializing in the transportation of children 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. Unaccompanied children under 18 years of age and their baggage may be transported, provided that children under four years of age shall be accompanied by a parent, guardian, parent or guardian approved family member, or an adult supervisor. If the adult supervisor is affiliated with the carrier, that person shall have been approved in writing by the parent or guardian
- B. Adults affiliated with children passengers may be transported when the transportation is incidental to the transportation of a child. This includes adults being carried directly to pick up a child to be transported, or directly to return from accompanying a child.

♦Each vehicle shall contain this identifying symbol on its front and rear bumpers, visible at a minimum of 100 feet in accordance with the rules contained in Appendix A of Decision 97-07-063.

SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS (concluded).

- C. When a route description is given in one direction, it applies to operation in either direction unless otherwise indicated.
- D. 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.
- E. 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.

♦Each vehicle shall contain this identifying symbol on its front and rear bumpers, visible at a minimum of 100 feet in accordance with the rules contained in Appendix A of Decision 97-07-063.

SECTION II. SERVICE AREA.

Points in the Cities of Alhambra, Arcadia, Monrovia, Pasadena, San Gabriel, San Marino, South Pasadena, and Temple City.

SECTION III. ROUTE DESCRIPTION.

Commencing from any point described in Section II, then over the most convenient streets and highways to any other point described in Section II.

♦Each vehicle shall contain this identifying symbol on its front and rear bumpers, visible at a minimum of 100 feet in accordance with the rules contained in Appendix A of Decision 97-07-063.