

Decision No. 81161

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the operations, rates, charges, fares and practices of corporations or persons operating airport limousine service.

Case No. 9162

ORDER DENYING REHEARING
AND MODIFYING DECISION NO. 80448

NATIONAL EXECUTIVE SERVICES, INC., CAREY CADILLAC RENTING CO., GOLDEN SEDAN SERVICE, INC., and AIRPORT SERVICE, INC., having filed petitions for reconsideration and rehearing of Decision No. 80448, the Commission having extensively considered each and every allegation thereof and being of the opinion that no good cause for rehearing has been made to appear; and further:

1. The Commission concludes that it cannot rely on the present statutory pattern to carry out its present regulatory policy regarding airport limousine transportation service and that the proposed legislation would give it the necessary freedom of action and flexibility in using either rate or licensing regulation to support the public interest.

2. Moreover, the Commission hereby modifies Decision No. 80448 by recommending to the Legislature the adoption of the following additional change to the Passenger Charter-party Carriers' Act:

A. Delete Section 5359 of the Public Utilities Code.

This additional recommendation is based on the belief that this section is an unnecessary limitation on the definition of

"motor vehicle", and therefore on the applicability of the Passenger Charter-Party Carrier Act, and would provide a means of evading the regulatory authority created in proposed Section 5403. The apparent purpose of the limitation in Section 5359 was to exclude taxicab transportation service from the Act. This exclusion is not altered in any way by deletion of Section 5359 in view of Section 5353(g) of the Public Utilities Code.

Therefore, IT IS ORDERED that rehearing of Decision No. 80448 is hereby denied and that further proceedings in the above-entitled proceeding are stayed until further order of the Commission. The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 20th day
of MARCH, 1973.

Vernon L. Sturgis
President
William J. Sykes, Jr.
Richard J. [illegible]
[illegible]
Commissioners

Commissioner Thomas Moran, being
necessarily absent, did not participate
in the disposition of this proceeding.