

Decision 89 10 007 OCT 12 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Marin Airporter (PSC-990) to )  
establish a zone of rate freedom )  
and individual fares for passenger )  
stage service between points in )  
authorized service area and San )  
Francisco International Airport. )

**ORIGINAL**  
Application 89-05-027  
(Filed May 11, 1989)

OPINION

Marin Airporter, a California corporation, has requested authority to establish a zone of rate freedom (ZORF) under Public Utilities (PU) Code § 454.2 on service between Novato, Ignacio, San Rafael, Larkspur, Mill Valley, and Sausalito and the San Francisco International Airport.

The application states, in part, as follows:

"Applicant proposes a ZORF solely in response to the pending ZORF application filed by its competitor, Santa Rosa Airporter, at a rate no more than \$2.00 above or more than \$2.00 below its current rate. It is the feeling of Applicant that the current fare being charged by Marin Airporter is fair and equitable and has allowed for a high level of service provided to the Marin County community. However, with the pending fare structures offered by Santa Rosa Airporter, Applicant's market is severely threatened and Applicant is thereby forced to meet the expected lowered fares to be offered by its competitor."

Marin Airporter has attached a Statement of Income for the year ending December 31, 1988 showing its operation to be profitable at present rates.

Notice of the filing of the application was provided in the Commission's Daily Transportation Calendar on May 18, 1989. There have been no protests or requests for hearing and

Transportation Division recommends that the application be granted ex parte.

Findings of Fact

1. Applicant is a passenger stage corporation providing service from points in Marin County to the San Francisco International Airport.
2. Applicant is requesting authority to establish a ZORF between the lower limit of \$2 below the present authorized fares and the upper limit of the ZORF of \$2 above the present authorized fares.
3. The ZORF will permit applicant to adjust its rates to meet competitor's fares.
4. Applicant should be exempted from the long- and short-haul provisions of PU Code § 460.

Conclusions of Law

1. The application should be granted.
2. Before applicant charges any ZORF fares, it should first file such fares with the Commission on 10 days' notice.
3. The filing of ZORF fares should be accompanied by a tariff amendment which shows the high and low ends of the ZORF as well as the then currently effective rate.

O R D E R

IT IS ORDERED that:

1. Marin Airporter is authorized to establish fares within a Zone of Rate Freedom (ZORF) between the lower limit of the ZORF of \$2 below the present authorized fares and the upper limit of the ZORF of \$2 above the present authorized fares.
2. Applicant shall file a tariff based on the ZORF on not less than 10 days' notice to the Commission and the public subject to Commission approval. The authority for ZORF shall expire unless exercised within 60 days after the effective date of this order.

3. Any fare changes within its ZORF may be made by applicant by filing and amending its tariff on not less than 10 days' notice to the Commission and the public. The tariff shall include for each fare point the authorized maximum fare, the authorized minimum fare, and the fare to be actually charged.

4. Applicant is relieved from the provisions of the long- and short-haul requirements of PU Code § 460 in establishing the authorized ZORF fares.

5. In addition to posting and filing tariffs, applicant shall post a printed explanation of its fares in its fare passenger carrying vehicles and terminals. The notice shall be posted at least 5 days before the effective date of the fare changes and shall remain posted for at least 30 days.

6. The application is granted as set forth above.

This order is effective today.

Dated OCT 12 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

*Wesley Franklin*

WESLEY FRANKLIN, Acting Executive Director