

Decision 90 03 019 MAR 14 1990

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Harold E. Craft, Jr.,)
dba Downtown Airporter, for)
authority to increase its operating)
area to points in El Dorado and)
Placer Counties and to establish a)
"zone of rate freedom".)

Application 89-08-008
(Filed August 7, 1989)

O P I N I O N

Harold E. Craft, Jr., an individual doing business as Downtown Airporter, conducts on-call passenger stage corporation service, as defined in Public Utilities (PU) Code § 226, between Sacramento Metropolitan Airport and territory in Sacramento, Yolo, and Placer Counties which he has divided into three zones (PSC-1379).

Applicant now wishes to add a fourth zone to his service area and to establish zones of rate freedom (ZORF) within each of the designated vicinities within which he intends to operate.

Notice of filing of the application appeared in the Commission's Daily Transportation Calendar of August 10, 1989. No protests have been received, and a public hearing is not required.

Applicant proposes to conduct operations with his present vehicles.

Findings of Fact

1. Applicant has the ability and financial resources to perform the proposed service.

2. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

3. Applicant is operating in competition with other substantially similar passenger stage transportation services.

4. Applicant requests authority to establish a ZORF of -\$5.00 to +\$5.00 around his existing rate in Zone 1, of -\$7.50 to +\$7.50 around his existing rate in Zone 2, of -\$10 to +\$10 around his existing rate in Zone 3, and of -\$15 to +\$15 around his existing rate in Zone 4.

5. The competitive transportation services will result in reasonable rates when considered with the ZORF authorized below.

6. The granting of an exemption from the long- and short-haul provisions of PU Code § 460 is appropriate in this case.

7. No protests have been received.

Conclusions of Law

1. The application should be granted.

2. Before applicant charges rates under the ZORF authorized below, ten days' notice should be given to the Commission.

3. The filing of ZORF rates should be accompanied by a tariff amendment showing for each route the high and low ends of the ZORF and the then currently effective rate.

4. No rate should be reduced to zero by application of the ZORF.

5. In order to make the proposed rate changes available as soon as possible, the following order should be effective immediately.

6. Since there are no protests, a public hearing is not required.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Harold E. Craft, Jr., an individual, authorizing him to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1379, as revised by the addition of Original Page 7, to transport persons and baggage.

2. Applicant shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. State in his tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 101, 104, and 158, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. 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 also authorized by the airport's governing body.

4. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that his

evidence of insurance is on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

5. Applicant may set rates within a ZORF between the lower limit of the currently authorized rate and the upper limit of the currently authorized rate, as follows: + or -\$5 in Zone 1; + or -\$7.50 in Zone 2; + or -\$10 in Zone 3; and + or -\$15 in Zone 4.

6. Applicant shall file ZORF tariffs on not less than 10 days' notice to the Commission and to the public and subject to Commission approval. The ZORF authority shall expire unless exercised within 60 days after the effective date of this order.

7. Applicant may make rate changes within the ZORF by filing amended tariffs on not less than 10 days' notice to the Commission and to the public. The tariff shall include for each route the authorized maximum and minimum rates and the rate to be charged.

8. Applicant is exempted from the long- and short-haul provisions of PU Code § 460 in setting the authorized ZORF rates.

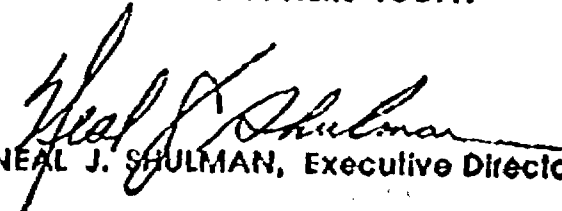
9. In addition to posting and filing proposed tariff changes, applicant shall post notices explaining rate changes in its terminals and passenger-carrying vehicles. The notices shall be posted at least 5 days before the effective date of the rate changes and shall remain posted for at least 30 days.

10. The application is granted as set forth above.
This order is effective today.

Dated MAR 14 1990, at San Francisco, California.

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

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


NEAL J. SHULMAN, Executive Director

JB

SECTION 3. SERVICE ZONE DESCRIPTION. (continued)

Zone 4:

Zone 4 consists of the following communities:

Rocklin
Penryn
Auburn
Weimar
Cameron Park
Placerville
Pollock Pines

Loomis
Newcastle
Colfax
El Dorado Hills
Shingle Springs
Cedar Grove