

Decision 90 09 020 SEP 12 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of A Touch of Class
Limousine (PSC-1395) 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 and San Jose International
Airport and Oakland Airport.

ORIGINAL

Application 89-08-026
(Filed August 17, 1989)

O P I N I O N

Sanford A. McColley and Kathy J. McColley (applicants), doing business as A Touch of Class Limousine, request authority to establish a zone of rate freedom (ZORF) under Public Utilities (PU) Code Section 454.2 between points within its authorized service area and to deviate from the long- and short-haul provisions of PU Code § 460.

The application alleges that the proposed rates are required to enable applicants to meet recently experienced cost increases and to compete for passengers against other passenger stage corporations, taxicabs, buses, limousines, and private-passenger cars. It is requested that applicants be authorized to establish fares within a ZORF between the lower limit of the ZORF that is now the present authorized fares as the minimum fares and the upper limit of the ZORF of \$8 above the present fares as the maximum fares.

Applicants state that the competitive transportation services will result in reasonable rates when considered with the requested ZORF.

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar, no protests have been received, and Transportation Division recommends ex parte approval of the request.

Findings of Fact

1. Applicants are operating in competition with other substantially similar passenger stage transportation services and with taxicabs, limousines, automobiles, and buses.
2. Applicants request authority to establish a zone of rate freedom (ZORF) of -\$0 to +\$8 around its existing rates.
3. The competitive transportation services will result in reasonable rates when considered with the ZORF authorized below.
4. The granting of an exemption from the long- and short-haul provisions of PU Code § 460 is appropriate in this case.
5. A public hearing is not necessary.

Conclusions of Law

1. The application should be granted.
2. Before applicants charge rates under the ZORF authorized below, 10 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.

O R D E R

IT IS ORDERED that:

1. Sanford A. McColley and Kathy J. McColley (applicants), doing business as A Touch of Class Limousine, are authorized to establish fares within a zone of rate freedom (ZORF) between the lower limit of the ZORF that is now the present authorized fares as the minimum fares and the upper limit of the ZORF of \$8 above the present fares as the maximum fares.

2. Applicants shall file a tariff based on the ZORF on no 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 applicants by filing and amending their tariff on no 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. Applicants are relieved from the provisions of the long- and short-haul requirements of PU Code § 460 in establishing the authorized ZORF fares.

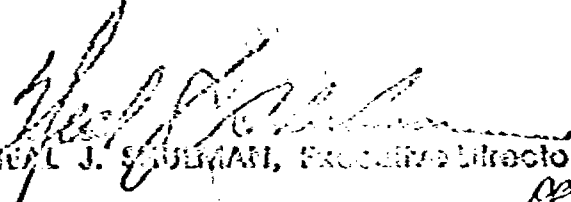
5. In addition to posting and filing tariffs, applicants shall post a printed explanation of their fares in their fare passenger carrying vehicles and terminals. The notice shall be posted at least 5 days before the effective date of the fare changes and shall remain posted for at least 30 days.

6. The application is granted as set forth above.

This order is effective today.

Dated SEP 12 1990, at San Francisco, California.

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


NEAL J. SULMASY, Executive Director

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

Commissioner John B. Ohanian,
being necessarily absent, did
not participate.