

Decision 90 11 010 NOV 09 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of John E. Kindt, Jr.)
dba Prime Time Limousine Service to)
establish zone of rate freedom for)
passenger stage service between)
points in its authorized service)
area and Los Angeles International)
Airport, Burbank Airport, Long Beach)
Harbors, Long Beach Airport, John)
Wayne Airport, Ontario Airport, and)
Amtrak.)

ORIGINAL
Application 90-08-056
(Filed August 23, 1990)

O P I N I O N

John E. Kindt, Jr., doing business as Prime Time Limousine Service, requests authority to establish a zone of rate freedom (ZORF) under Public Utilities (PU) Code § 454.2 between points within his authorized service area and to deviate from the long- and short-haul provisions of PU Code § 460.

Applicant conducts operations as a passenger stage corporation, transporting passengers on an on-call basis between points in various communities in Los Angeles, Orange, Ventura, and San Bernardino Counties and the airports listed in the application's caption (PSC-1424). Applicant's service competes for traffic with other substantially similar passenger stage transportation services.

Applicant proposes a ZORF of -\$5 to +\$5 around its existing rates.

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on August 30, 1990. No protests have been received, and Transportation Division recommends ex parte approval of the application.

Findings of Fact

1. Applicant is operating in competition with other substantially similar passenger stage transportation services.
2. Applicant requests authority to establish a ZORF of -\$5 to +\$5 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 applicant charges rates under the ZORF authorized below, 10 days' notice should be give 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. John E. Kindt, Jr. (applicant) may set rates within a zone of rate freedom (ZORF) between the lower limit of the ZORF (\$5 below the currently authorized rate, except where the ZORF would reduce a rate to zero) and the upper limit of the ZORF (\$5 above the currently authorized rate).
2. Applicant shall file a ZORF tariff 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.

3. 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.

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

5. 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.

6. The application is granted as set forth above.

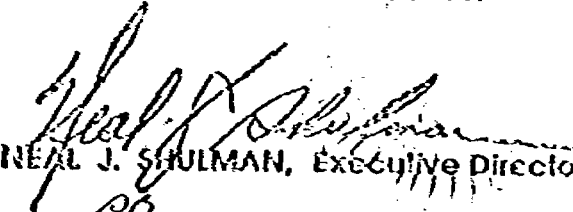
This order is effective today.

Dated NOV 03 1990, at San Francisco, California.

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

Commissioner Stanley W. Hulett,
being necessarily absent, did
not participate.

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


NEAL J. SHULMAN, Executive Director