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Decision 91-05-012 May 8, 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Capital City Co-Op Commuter,)
Inc., PSC 1295, for authority to)
establish a zone of rate freedom)
in its authorized service area)
between Sacramento and Yolo)
Counties and the San Francisco)
International Airport.)

ORIGINAL

Application 90-09-063
(Filed September 27, 1990)

O P I N I O N

Capital City Co-Op Commuter, Inc. requests authority to establish a zone of rate freedom (ZORF) under Public Utilities (PU) Code § 454.2 between points within its 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 Sacramento and Yolo Counties and the San Francisco International Airport (PSC-1295). Applicant's service competes for traffic with other substantially similar passenger stage transportation services.

Applicant proposes a ZORF of -\$5 to +\$15 around its existing rate.

Transportation Division recommends ex parte approval of the application, following its receipt of clarifying information from applicant on February 4, 1991.

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 +\$15 around its existing rate.

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. Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on October 5, 1990. No protests have been received. 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.

ORDER

IT IS ORDERED that:

1. Capital City Co-Op Commuter, Inc. (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 (\$15 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.

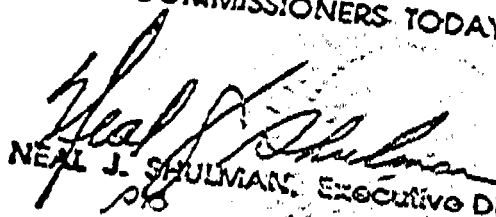
6. The application is granted as set forth above and this proceeding is closed.

This order is effective today.

Dated May 8, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

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


NEAL J. SHULMAN, Executive Director