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Decision 91 12 012 DEC 04 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
 BRIAN L. AND JAMES K. BURNHAM dba)
 PEERLESS LIMOUSINE SERVICE for the)
 authority to establish a zone rate)
 of freedom for points within)
 authorized service area on the one)
 hand, and, on the other, San Diego)
 International Airport. (Lindberg)
 Field))

ORIGINAL

Application 91-08-033
 (Filed August 12, 1991;
 amended September 26, 1991)

O P I N I O N

Brian L. and James K. Burnham, doing business as Peerless Limousine Service (Applicant), a passenger stage corporation (PSC-1466), request authority for zones of rate freedom fares (ZORF) to increase existing fares under Public Utilities (PU) Code § 454.2. Applicant transports passengers and their baggage on an on-call, door-to-door basis, between points in the County of San Diego and San Diego International Airport.

Applicant's existing fares were authorized by Decision 88-04-027.

Applicant requests a ZORF for all of its service points as indicated in the amended application, "Amended 1", Exhibit "C". Applicant states that it is experiencing increased costs in insurance rates, maintenance and other overhead expenses.

Applicant also competes with other passenger stage corporations, taxi cabs, limousines, buses, and automobiles in its service area.

Applicant attached to its application and amendment, a "Certificate of Service" dated July 30, and September 25, 1991 in compliance with the Commission's Rules of Procedure, Rules 23 and 24.

The proposed ZORF when implemented, may conflict with PU Code § 460. Applicant should be exempted from the long- and short-haul provisions of PU Code § 460.

Findings of Fact

1. Applicant is a passenger stage corporation operating an on-call, door-to-door service between points in the County of San Diego and San Diego International Airport.

2. Applicant requests authority for a ZORF as proposed in its application, as amended.

3. Applicant competes with passenger stage corporations, taxi cabs, limousines, buses, and automobiles in its operations.

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

6. No protests have been received.

Notice of the filing of the initial application appeared on the Commission's Daily Transportation Calendar on August 27, 1991. No protests to the application have been filed.

Conclusions of Law

1. The application, as amended, for ZORF should be granted.

2. A public hearing is not necessary.

3. Before applicant charges fares under the ZORF authorized below, 10 days' notice should be given to this Commission.

4. The filing of ZORF fares should be accompanied by a tariff amendment showing between each service point and the airport the high and low ends of the ZORF and the then currently effective rate.

5. In order to make the proposed fares changes available as soon as possible, the following order should be effective on the date of this decision.

O R D E R

IT IS ORDERED that:

1. Brian L. and James K. Burnham, doing business as Peerless Limousine Service (Applicant), is authorized under Public Utilities (PU) Code § 454.2 to establish the zones of rate freedom (ZORF) fares requested in Application 91-06-024, as amended, "Amended 1", Exhibit "C". Applicant may set fares within the ZORF between the lower limit of the ZORF and the upper limit of the ZORF.

2. Applicant shall file a ZORF tariff in accordance with the application on not less than 10 days' notice to the Commission and to the public and subject to Commission approval. The ZORF shall expire unless exercised within 60 days after the effective date of this order.

3. Applicant may make 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 fares and the fare to be charged.

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

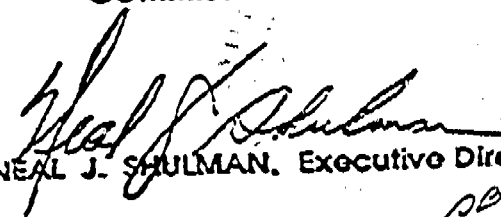
5. In addition to posting and filing tariffs, applicant shall post notices explaining fare changes in its terminals and passenger-carrying vehicles. Such notices shall be posted at least 5 days before the effective date of the fare changes and shall remain posted for at least 30 days.

6. The application is granted as set forth above.

This order is effective today.

Dated DEC 04 1991, at San Francisco, California.

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


NEAL J. SHULMAN, Executive Director

PATRICIA M. ECKERT
President
JOHN B. O'HANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners