

SEP) 3 1992

Decision 92-09-034 September 2, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of Shuttle Express International,
Inc., a Colorado corporation, dba
SuperShuttle of San Diego, a
Colorado corporation, for authority
to establish a Zone of Rate
Freedom, an extension of service,
and a rules revision for the
transportation of passengers in
San Diego County.

Application 92-03-033
(Filed March 16, 1992;
amended April 28, 1992)

O P I N I O N

Shuttle Express International, Inc., doing business as SuperShuttle of San Diego (applicant), operates as a passenger stage corporation (PSC-5465) transporting passengers and their baggage on an on-call door-to-door basis between points within San Diego County on the one hand, and San Diego International Airport on the other hand, under authority granted by Decision 89-09-015 in Application 89-01-042.

Applicant hereby seeks authority for the following:

1. Establishment of a zone of rate freedom (ZORF);
2. Expansion of its present passenger stage corporation certificate;
3. Establishment of a family fare of \$2.00 per person, which would permit the third, fourth, fifth, sixth, and seventh family members to travel between the same points as the first and second family members.

The proposed ZORF requested would authorize applicant to increase or decrease fares as follows:

<u>CURRENT FARES</u>	<u>ZORF</u>
\$ 2.00 - \$12.00	\$ 2.00
\$13.00 - \$20.00	\$ 4.00
\$21.00 - \$30.00	\$ 6.00
\$31.00 - \$40.00	\$ 8.00
\$41.00 - HIGHER	\$10.00

Applicant competes with other passenger stage corporations, taxicabs, limousines, and automobiles in its service to and from San Diego International Airport.

The original application requested expansion of the certificate to include as an origin and/or destination the following "passenger terminals" in addition to the San Diego International Airport:

1. Amtrak Rail Station - San Diego;
2. Cruise Ship Terminal - San Diego;
3. Greyhound Bus Depot - San Diego;
4. San Diego Zoo - San Diego;
5. Sea World - San Diego;
6. Balboa Park - San Diego;
7. Convention Center - San Diego; and
8. Jack Murphy Stadium - San Diego.

By letter, dated June 12, 1992, applicant reduced the expansion request to the following "passenger terminals":

1. Amtrak Rail Station - San Diego;
2. Cruise Ship Terminal - San Diego; and
3. Convention Center - San Diego.

The application and amendment thereto were served in accordance with Rule 21(k) of the Commission's Rules of Practice and Procedure. Notice of the filing of the application and amendment thereto were published in the Commission's Daily

Transportation Calendars of March 19, 1992 and May 4, 1992, respectively. No protests to the granting of the application have been received.

The Commission's Transportation Division recommends in its Supplemental Advice of Participation dated June 17, 1992, that in the absence of protests, the authority for ZORF and extension of service be granted by ex parte order. It is silent with respect to the establishment of the \$2.00 family fare.

Findings of Fact

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

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

3. Applicant competes with other passenger stage corporations, taxicabs, limousines, and automobiles in its operations.

4. Applicant seeks to expand its certificate to serve the following in addition to San Diego International Airport:

1. Amtrak Rail Station - San Diego;
2. Cruise Ship Terminal - San Diego; and
3. Convention Center - San Diego.

5. Applicant seeks authority to transport establishment of a family fare of \$2.00 per person, which would permit the third, fourth, fifth, sixth, and seventh family members to travel between the same points as the first and second family members, regardless of the fare paid by the first two members of the family.

Conclusions of Law

1. The application for a ZORF should be granted to the extent set forth in the ensuing order.

2. The application to establish a \$2.00 fare for the third, fourth, fifth, sixth, and seventh family members to travel between

the same points as the first and second family members, regardless of the fare paid by the first two members of the family, should be granted to the extent set forth in the ensuing order.

3. The application for the expansion of authority should be granted.

4. A public hearing is not necessary.

5. Prior to changing fares under the ZORF authorized below, applicant should give this Commission ten days' notice.

6. The filing of the ZORF fares should be accompanied by a tariff amendment showing between San Diego County and San Diego International Airport, the high and low ends of the ZORF and the then currently effective fares.

7. Since there is an immediate need for the requested relief, the following order should be effective on the date signed.

ORDER

IT IS ORDERED that:

1. Shuttle Express International, Inc., doing business as SuperShuttle of San Diego (applicant), is authorized under Public Utilities (PU) Code § 454.2 to establish fares within a zone of rate freedom (ZORF) as follows between San Diego International Airport and points in San Diego County. In no event shall a fare be less than \$2.00 per person.

<u>CURRENT FARES</u>	<u>ZORF</u>
\$ 2.00 - \$12.00	\$ 2.00
\$13.00 - \$20.00	\$ 4.00
\$21.00 - \$30.00	\$ 6.00
\$31.00 - \$40.00	\$ 8.00
\$41.00 - HIGHER	\$10.00

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 may establish the family fare of \$2.00 per person for the third, fourth, fifth, sixth, seventh, etc. family members by filing a tariff change on not less than 10 days' notice to the Commission and the public. Said fares shall apply only between the origin and destination of the first and second family members.

5. In addition to posting and filing tariffs, applicant shall post notice 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 certificate of public convenience and necessity granted to applicant, authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, to transport persons and baggage, between the points and over the routes set forth in Appendix PSC-5465 of Decision 89-09-015, is amended by replacing Original Pages 2 and 3, with First Revised Pages 2, and 3, as attached.

7. 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 within 120 days after this order is effective.
- c. State in his tariffs when service will start; allow at least 10 days' notice to the Commission; and make 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. Comply with PU Code §§ 406.7 and 1043 relating to workers' compensation law of this state.

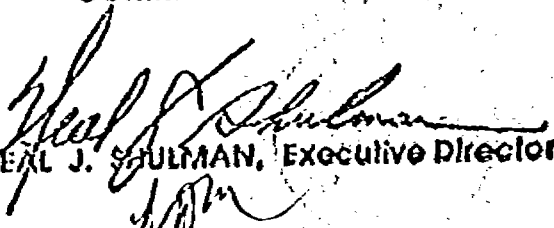
This order is effective today.

Dated September 2, 1992, at San Francisco, California.

DANIEL Wm. FESSLER
President
JOHN B. OHANIAN
NORMAN D. SHUMWAY
Commissioners

Commissioner Patricia M. Eckert,
being necessarily absent, did
not participate.

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


NEAL J. SULMAN, Executive Director

SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS.

Shuttle Express International, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage on an "on-call", door-to-door basis, between points in San Diego County, over and along the routes described in Section 3, subject, however, to the authority of this Commission to change or modify the routes at any time and subject to the following provisions:

- a. This certificate does not authorize the holder to conduct any operation on the property of or into any airport unless such operation is authorized by the airport authority involved.
- b. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- *c. No passengers shall be transported except those having a point of origin or destination named in Section 2, "Points of Origin or Destination".
- d. The term "on-call", as used, refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs shall show the conditions under which each authorized on-call service will be provided, and shall include the description of the boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.

Issued by California Public Utilities Commission.

*Revised by Decision 92-09-034, Application 92-03-033.

SECTION 2. SERVICE AREA DESCRIPTION.

On-Call, Door-to-Door Service

San Diego County Service Area

All points within the geographical limits of San Diego County including, but not limited to the cities of:

Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, and Vista.

Points of Origin or Destination

*Cruise Ship Terminal, *Convention Center, *Amtrak Station, and International Airport located in the City of San Diego.

SECTION 3. ROUTE DESCRIPTION.

Commencing from any point or place in the San Diego County Service Area described in Section 2, then over the most convenient streets and highways to either the *Cruise Ship Terminal, *Convention Center, *Amtrak Station or International Airport located in the City of San Diego.

Issued by California Public Utilities Commission.

*Revised by Decision 92-09-034, Application 92-03-033.