

T/MH

Decision 92 10 054 OCT 21 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

On the matter of Application of
Boris Dinerman, Vladimir Shapiro, and
Semyon Kaplun, dba Bay Shuttle
for Authority to Establish a
Zone of Rate Freedom for the Service
Authorized Under PSC 6716.

ORIGINAL

Application 92-08-020
(Filed August 5, 1992)

O P I N I O N

Boris Dinerman, Vladimir Shapiro, and Semyon Kaplun, a partnership, doing business as Bay Shuttle (Applicant), a passenger stage corporation (PSC-6716), request authority to establish a zone of rate freedom (ZORF) for their passenger fares under Public Utilities (PU) Code § 454.2.

Applicant provides on-call service between points in the County of San Francisco (SF), and certain cities and communities in San Mateo County (SMC), on the one hand, and San Francisco International Airport (SFO), on the other hand. Applicant's existing authority was granted by Decision (D.) 90-11-007, as amended, which established applicant's existing fare of \$9 to SFO and \$8 from SFO. The fare for a child who is between the ages of 2 and 5 is \$4, one way. Any child under the age of 2 is given free transportation.

This application proposes a ZORF of \$5 below and above the present fares. The child's fare would indicate a minimum of \$1 and a maximum of \$9. The applicant requested by letter of September 14, 1992 that the minimum fare should be \$2 per passenger.

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

Applicant requests exemption from the long- and short-haul provisions of PU Code § 460. This exemption is customary when a ZORF is authorized and we find it reasonable.

Findings of Fact

1. Applicant is a passenger stage corporation operating an on-call service between points in SF and SMC, on the one hand, and SFO, on the other hand.

2. Applicant's present fares were authorized by D.90-11-007, as amended.

3. Applicant requests authority to establish a ZORF of \$5 below and above their present fares. Any fare that will be less than \$2 will be adjusted to a minimum of \$2.

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

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

6. A public hearing is not necessary.

7. No protests to the application have been filed.

8. Notice of the filing of this application appeared on August 20, 1992, in the Daily Transportation Calendar.

Conclusions of Law

1. The application for a ZORF should be granted.

2. Before applicant charges fares under the ZORF authorized below, it should give this Commission 10 days' notice.

3. The filing of ZORF fares should be accompanied by a tariff amendment showing between SF and SMC, on the one hand, and SFO, on the other hand, the high and low ends of the ZORF and the then currently effective fares.

4. In order to make the proposed fare 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. Boris Dinerman, Vladimir Shapiro, and Semyon Kaplun, a partnership, doing business as Bay Shuttle (Applicant), are authorized under Public Utilities (PU) Code § 454.2 to establish fares within a zone of rate freedom (ZORF) that sets the lower or minimum limit and the upper or maximum limit at \$5 from the present fares, except where application of ZORF reduces a fare to less than \$2 such fare will be adjusted to a minimum of \$2.

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 provisions of PU Code § 460 in setting the authorized ZORF fares.

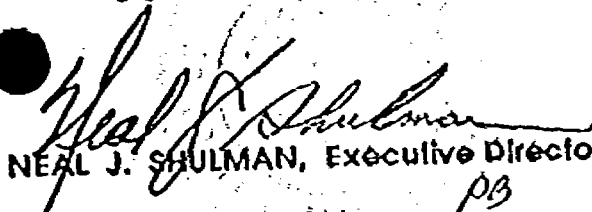
5. In addition to posting and filing tariffs, applicant shall post notices explaining fare changes in their terminals and passenger-carrying vehicles. Such notices shall be posted at least 5 days before the effective date of the fare changes and shall remain posted for at least 30 days.

6. The application is granted as set forth above.

This order is effective today.

Dated OCT 21 1992 at San Francisco, California.

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


NEAL J. SHULMAN, Executive Director

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