

T/BG

Decision 92-12-014 December 3, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
Jerry D. & Melita Walden, dba Airport)
Express to establish a Zone of Rate)
Freedom of Plus \$15.00/Minus \$5.00,)
from its current tariff rates,)
pursuant to the provisions of Section)
454.2 of the Public Utilities Code.)

ORIGINAL

Application 92-09-005
(Filed September 4, 1992)

O P I N I O N

Jerry D. & Melita Walden, doing business as Airport Express (Applicant), a passenger stage corporation (PSC-7718), requests authority to establish a zone of rate freedom (ZORF) to increase existing fares under Public Utilities (PU) Code § 454.2. Applicant transports passengers and their baggage on an "on-call" basis between the Sacramento Metro Airport, on the one hand, and authorized areas of Sacramento, El Dorado, Placer, and Yolo Counties, on the other hand.

Applicant's existing fares, granted by Decision 92-05-019, have been in effect since September 15, 1992.

Applicant requests a ZORF for all of its service points as indicated in Exhibits 2 and 3. The proposed ZORF would be \$15.00 above and \$5.00 below its present fares.

Exhibit 4 is an unaudited Income Statement for the two months ending August 28, 1992 that indicates gross revenue of \$9599, expenses of \$9777 and a loss of \$178.

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

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 on an "on-call" basis between authorized areas of Sacramento, El Dorado, Placer, and Yolo Counties, on the one hand, and the Sacramento Metro Airport, on the other hand.

2. Applicant requests authority for a ZORF for all of its service points as proposed in Exhibits 2 and 3 of its application. The proposed ZORF would be \$15.00 above and \$5.00 below its present fares.

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.

5. Notice of the filing of the application appeared on the September 4, 1992 Daily Transportation Calendar.

6. No protests have been received.

7. A public hearing is not necessary.

Conclusions of Law

1. The application for ZORF should be granted.

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

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

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. Jerry D. & Melita Walden, doing business as Airport Express (Applicant), is authorized under Public Utilities (PU) Code § 454.2 to establish fares within a zone of rate freedom (ZORF) between the lower limit of the ZORF of \$5.00 below the present fares and the upper limit of the ZORF of \$15.00 above the present fares.

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 with 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.

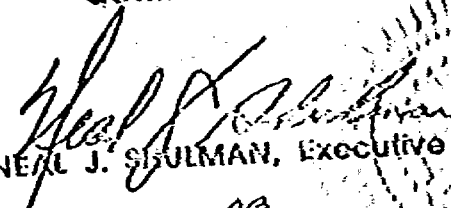
5. In addition to posting and filing tariffs, applicant shall post notices explaining fare changes in its terminals and passenger-carrying vehicles. Such notices shall be posted at least 5 days before the effective date of the fare changes and shall remain posted for at least 30 days.

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6. The application is granted as set forth above.
This order is effective today.
Dated December 3, 1992, at San Francisco, California.

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

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


NEAL J. SULMAN, Executive Director

PC

