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ORIGINAL

Decision 83 06 084 JUN 29 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
YELLOW CAB COOPERATIVE, INC., for
authority to operate as a passenger
stage corporation between the City
and County of San Francisco and the
San Francisco International Airport.

Application 82-06-06
(Filed June 2, 1982)

In the Matter of the Application of
LUXOR CAB COMPANY for authority to
operate as a passenger stage
corporation between points in San
Francisco, including San Francisco
International Airport.

Application 82-06-09
(Filed June 3, 1982)

Leach and Schneider, by David G. Leach,
Attorney at Law, for Yellow Cab
Cooperative, Inc. and for Luxor Cab
Company, applicants.
Handler, Baker, Greene and Taylor, by
Raymond A. Greene, Jr., Attorney at
Law, for SFO Airporter, Inc.; Clapp &
Custer, by James S. Clapp, Attorney
at Law, for Lorrie's Travel & Tours,
Inc.; Raul Rodriguez, for Independent
Cab Drivers Association; and Michael D.
Parrish and Earl Robert Franklin, for
Chauffeur's Union Local 265, protestants.
George Agnost, San Francisco City Attorney,
by William C. Taylor, Deputy City
Attorney, for San Francisco Airports
Commission, interested party.

O P I N I O N

Yellow Cab Cooperative, Inc. (Yellow) and Luxor Cab Company (Luxor) seek separate but essentially identical authority to operate passenger stage service between all points in San Francisco to and from the San Francisco International Airport (SFIA).

Protests to the applications were received from Lorrie's Travel and Tours, Inc. (Lorrie's) and from SFO Airporter, Inc. (Airporter).

After due notice, public hearings in these matters were held on a consolidated record before Administrative Law Judge Orville I. Wright in San Francisco from September 20, 1982 through September 24, 1982. Concurrent briefs were filed by the parties on January 21, 1983, and the cases were submitted for decision.

Proposed Service

Each of the applicants proposes in its application to operate separate and independent "on-call", demand service between San Francisco and SFIA. Each of the applicants proposes to purchase and use 11-passenger mini-vans to make passenger pickups and drop-offs throughout San Francisco on a 24-hour daily basis in its airport service, and to use its taxicabs in such service when its vans are not available.

Each applicant will also acquire and operate at least one vehicle equipped with a wheelchair lift and each states that more such vans will be provided as the handicapped passenger traffic may demand.

The proposed adult per capita fare is \$6 in each case, compared to the present taxi fare of approximately \$18, Lorrie's present fare of \$6.50 per adult, and Airporter's price of \$4 and \$5.

Each application specifies that pickup service will be available throughout the city on a three-hour notice.

Need for Proposed Service

James E. Steele, president of Yellow, testified that his company regularly receives inquiries from its customers as to the availability and cost of group service to SFIA.

Nathan Dwiri, assistant manager for Yellow, testified on the basis of his experience in transportation that the van volume of SFIA would develop very nicely. According to this witness, Yellow's capacity for transporting groups is a topic of customer questions almost on a daily basis. Further, since the advent of its computer-aided dispatch systems, the volume of group requests for service has increased from 100,000 to 140,000 per month. Within a year, the witness projected a monthly volume of calls of 180,000, being more than existing cabs could serve, in his view.

William Lazar, Jr., Luxor's assistant manager, stated that the proposed van concept in conjunction with taxi service was a matter of continuing interest and discussion among cab operators. The concept is working in other areas, giving the traveling public a choice of service, according to this witness.

Neither applicant presented any member of the general public to assert knowledge of the proposed services and intention to use them, handicapped service excepted.

Existing Services to Airport

A report of existing services to and from SFIA was prepared and submitted into evidence by the Transportation Division. The following transportation entities were described in staff's exhibit:

Airporter

Airporter provides scheduled service between its terminal located at the corner of Ellis and Taylor Streets in San Francisco and SFIA. Buses are scheduled every 15 minutes between 6:00 a.m. and 10:00 p.m.; every 30 minutes between 10:00 p.m. and 12:00 midnight; and approximately every hour between 12:00 midnight and 6:00 a.m. The current authorized fare is \$4 for adults for this service.

Airporter also provides scheduled service between San Francisco atop Nob Hill and SFIA. Buses are scheduled every hour on the hour from 6:00 a.m. until 9:00 p.m. from the hotels to SFIA and

every hour on the hour from 7:00 a.m. until 10:00 p.m. from SFIA to the hotels. The current authorized fare is \$5 for adults for this service.

Airporter uses buses with seating capacity between 45 and 53 passengers.

Lorrie's

Lorrie's provides scheduled service from SFIA to San Francisco. Vehicles are scheduled twice per hour between 6:50 a.m. and 8:15 p.m. and once per hour between 8:15 p.m. and 11:15 p.m.

Lorrie's also provides "on-call" service between SFIA and San Francisco. Reservations for "on-call" service are required two hours prior to pickup time.

The current authorized fare for both the scheduled and "on-call" services is \$6.50.

Lorrie's uses vehicles with seating capacity between 9 and 20 passengers.

San Mateo County Transit District

San Mateo County Transit District (SAMTRANS) operates scheduled service between points along Mission Street and other points in San Francisco and SFIA. Route 7B (local route) operates every 30 minutes between 4:47 a.m. and 12:17 a.m. and allows two pieces of baggage to be carried per passenger. Route 7F (express route) operates every 30 minutes between 5:30 a.m. and 6:19 p.m. and allows no baggage.

In addition, SAMTRANS operates Route 3B from Daly City BART station to SFIA approximately every 30 minutes between 6:21 a.m. and 7:21 p.m.

These services are provided with full-size (40+ passengers) motor coaches. The one-way passenger fare is 90 cents.

Agentours, Inc.

This carrier is authorized to transport foreign-speaking visitors having an advance reservation for one of its sightseeing tours on an "on-call" basis using 11-passenger vehicles between SFIA and San Francisco. The authorized fare is \$7.

J. R. Zavaleta

This carrier is authorized to conduct an "on-call" service between SFIA and San Francisco in limousines with a seating capacity of one driver and eight passengers.

Associated Limousine Operators
of San Francisco, Inc.

Associated Limousine Operators of San Francisco is authorized to conduct an "on-call" service between SFIA and Class A San Francisco hotels, using limousines with a seating capacity of one driver and eight passengers. Current fare is \$6 with carrier requesting fare increase to \$8.

San Francisco Airports Commission's Position

The San Francisco Airports Commission entered an appearance in these consolidated proceedings, taking a position in opposition to our granting further operating authority to carriers to and from SFIA and downtown San Francisco.

Resolution No. 82-0197, adopted August 3, 1982, reads as follows:

"WHEREAS, the lack of curb space and roadway congestion are major problems at San Francisco International Airport; and,

"WHEREAS, the existing ground transportation services are fully adequate, and offer the air passengers a wide variety of cost and service travel alternatives to choose from as means of transportation to major destinations in downtown San Francisco at reasonable fares; and

"WHEREAS, the existing ground transportation service alternatives could accommodate increased demand without an increase in vehicle traffic at the Airport; and,

"WHEREAS, further licensing by the California Public Utilities Commission of additional carriers serving downtown San Francisco will not provide air passengers with any significantly different travel alternatives

"now, therefore, be it

"RESOLVED, that the Commission requests the California Public Utilities Commission to refrain from licensing any additional ground transportation operators who serve downtown San Francisco from San Francisco International Airport."

Airporter's Evidence

Gordon Esposto (Esposto), general manager of Airporter, presented evidence to show that the scope of existing service between SFIA and San Francisco is more than adequate to respond to the needs of the traveling public, and that no further certificates of public convenience and necessity should be issued.

Airporter operates 30 modern, 48-passenger capacity buses in regularly scheduled service to SFIA at 15-minute intervals throughout the day until 10:00 p.m., and thereafter on the half hour and coincident with flight arrivals and departures at SFIA. It is the only carrier allowed by SFIA to load and unload at the lower level of SFIA.

Esposto believes that the SAMTRANS operation and our granting additional certificates of public convenience and necessity for SFIA service have resulted in a substantial decline in passenger volume handled by Airporter in recent years. Airporter buses have an average capacity of 48, and from 1977 to 1981, its load factor was 24 persons or 50%. For the first seven months of 1982 its load factor was 19 persons, meaning that there were some 29 empty seats on an average trip.

Airporter's exhibits show a decline in passenger traffic at SFIA and increased usage of airport parking facilities. Esposto concludes that Airporter's carriage of some 403,000 individuals in the first seven months of 1982 was 140,000 fewer than Airporter transported during the same period of time in 1981.

It was testified that increases in Airporter's gross revenues are directly attributable to authorized fare increases in recent years rather than to patronage increase. Airporter's actual passenger volume has decreased substantially in those same years.

Airporter contends that further service authorizations in an already saturated market can only result in further diversion of traffic from Airporter, and, accordingly, further fare increases to the traveling public. The evidence shows that a Transportation Division witness stated in 1980, during one of Airporter's fare increase hearings, that "this is an example of a larger carrier providing an efficient service who is being hurt by the authorization of subsequent carriers when there may not be enough traffic for all."

Lorrie's Evidence

Lorrie's contends that it stands ready, willing, and able to provide all of the service needs suggested as necessary by Yellow and Luxor. Applicants, in Lorrie's view, have no entitlement to a certificate as no finding can be made that the existing stage corporations already serving SFIA will not provide the proposed service to Commission satisfaction. (Public Utilities (PU) Code § 1032.)

Lorrie's leases 18 vans with seating capacity of 14 to 20 passengers. It provides 16-hour-per-day service to SFIA on schedule and "on call". It also conducts a tour business in and around San Francisco.

This carrier's financial exhibits show an accumulated operating deficit of \$76,097 as of January 1, 1982. However, a profit is shown for the first eight months of 1982 of \$19,787. It is reported that Lorrie's carries liability insurance of up to five million dollars, an amount well in excess of our minimum requirements.

A statistical exhibit prepared by Lorrie's reveals that during the busiest week that this carrier ever experienced in its years of operation, it achieved only a 30% load factor in SFIA traffic. Lorrie's contends that its demonstrated excess passenger capacity should be satisfied before we authorize further competition.

For the first six months of 1982 Lorrie's derived 75% of its airport shuttle business from San Francisco hotels, 6.5% from San Francisco offices and residences, and 18.5% from its scheduled pickup service originating at SFIA. Lorrie's served 93,065 passengers from January 1 to June 30, 1982.

Taxicab Industry Protests

Members of the San Francisco taxicab industry testified in opposition to the applications. One such witness was Michael D. Parrish, president of Chauffeur's Union Local 265. He testified that there was a definite decline in passenger traffic using both taxicabs and the Airporter bus between downtown San Francisco and the airport in recent years. His union opposes the application because the proposed services would take money directly out of existing cab drivers' pockets. He added that the applicants actually have no concern for driver revenues because their revenues come directly to them from gate charges which are not in any way affected by cab drivers' revenues.

Earl Franklin, a member of the same union and a cab driver employed by the DeSoto Cab Company, also appeared in opposition to the application. He stated that local cab drivers are totally opposed to the proposed operations. He stated that there has been a dramatic decline in passenger service between downtown San Francisco and the airport in recent years.

James E. O'Connor, executive vice-president of DeSoto Cab Company, stated that in his opinion there was no need for the proposed services and that it would be detrimental to the taxicab industry. He stated that there is already enough van service presently available in San Francisco.

Marvin Gralnick, general manager for DeSoto Cab Company, confirmed the O'Connor opinion. He testified that passenger volume is presently down and that there is no need for any additional service, the existence of which would only add to the already serious traffic congestion.

Two other taxicab drivers, Ed Burke and Terry Wetherby, also appeared in opposition to the application. Both are employee drivers and feel that the new service would give applicants an unfair competitive advantage over cab drivers. Both feel that there is not enough business at the present time and that two applicants would monopolize the transportation of individuals from downtown San Francisco to the airport, much to the competitive detriment and economic disadvantage of individual cab drivers such as themselves.

Finally, Paul Rodriguez, president of the Independent Cab Driver's Association, appeared in opposition, citing the lack of patronage and the increasing amount of competition in transporting passengers between downtown San Francisco and SFIA.

Respective managers of applicants were shown to have given similar testimony in earlier applications before this Commission.

Applicants' Fitness

The record is clear that both Luxor and Yellow have the ability, experience, and financial resources necessary to provide the proposed service.

Luxor's July 31, 1982 balance sheet shows total assets of \$1,223,299 and stockholders' equity of \$824,631. Its profit for the period shown was \$347,203.

Yellow's April 30, 1982 balance sheet shows total assets of \$4,051,654 and members' capital and retained earnings of \$1,912,361. Its profit for the year shown was \$169,416.

Applicants state that the financial information presented by each of them demonstrates fitness to operate the services proposed. Applicants point out that they are successful taxicab leasing companies whose businesses are exclusively devoted to the carrying of passengers in a consumer-demand responsive industry. The enterprises are monitored by the City and County of San Francisco, indicating successful experience under regulation.

Further, each applicant already has in place all the facilities necessary for the operations of the new service, including

maintenance bases, offices, telephone answering equipment, radio dispatch facilities, and seasoned personnel, all of which is intended to be utilized on a shared basis with existing taxicab operations.

Discussion

Two of San Francisco's major taxicab companies seek authority to individually enter the transportation market of shuttle service between San Francisco and SFIA in direct competition with each other, with Lorrie's and other existing certificated carriers. These companies may also draw away passenger traffic from Airporter, a scheduled bus carrier to and from SFIA, and from taxicab operators driving the San Francisco/SFIA corridor.

Each applicant has the experience, ability, and financial fitness to perform the proposed service. Moreover, Yellow and Luxor each has existing facilities, including garaging, vehicle service, computer-assisted radio dispatch systems, telephone answering equipment, and offices necessary to conduct an "on-call" van shuttle business. The applicants have experienced personnel in place, as well, and will only need to purchase the vans each proposes to use in initiating service.

Airporter states in its concurrent brief that these two applicants with large financial resources available to them will dominate the transportation of individuals between downtown San Francisco and SFIA if certificates of public convenience and necessity are granted to them.

Lorrie's and Airporter argue that the applicants propose a service in an area already saturated by existing carriers which individually and collectively offer to the general traveling public every conceivable mode and level of transportation and, hence, applicants have failed to sustain their burden that there is, in fact, a need for their proposed service.

The statutory provision on which our decision turns is PU Code § 1032:

"The Commission may, after hearing, issue a certificate to operate in a territory already served by a certificate holder under this part only when the existing passenger stage corporation or corporations serving such territory will not provide such services to the satisfaction of the Commission."

Our views of the requisites of the quoted section on our authorization of additional entrants into a competitive environment were recently set forth in application of American Buslines, Inc. (D.91279, A.58457, January 29, 1980; 3 PUC 2d 246). There we authorized Trailways to provide intrastate service between Los Angeles and San Diego in competition with Greyhound's established and satisfactory service. Applicants rely heavily upon our decision in American Buslines, Inc. in their closing brief, citing our statements on pages 256 and 257 of the decision where we said:

"The only meaningful test of which carrier will provide the most appealing--and therefore the best--service is that resulting from both carriers exercising their maximum ability and rendering public service, side by side. Furthermore, we believe that monopoly service (resulting from regulators protecting a carrier by excluding all new entrants) is not satisfactory service. Monopoly service deprives the public from being served by carriers with the greatest incentive to innovate and provide the most appealing service--the incentive of competition."

* * *

"Finally, we wish to emphasize that we do not consider monopoly passenger stage service adequate service to the public. And we will not apply Section 1032 as a bar to deprive the public of the most innovative attractive, and agreeable bus service that may potentially exist for its benefit. Rather, we will apply Section 1032 in an enlightened manner, consistent with today's realities and requirements, which is what the Legislature intended when it granted to us the

task of weighing all factors in determining whether existing passenger stage corporations provide adequate service. However, there may arise occasions when Section 1032 would be determinative in denying an application for operating authority such as, for example, when a traffic market is so obviously saturated with carriers that more competition could clearly not lead to better service. This could occur even though service is provided by one carrier."

While no public witnesses appeared for either applicants or protestants in this proceeding, the record shows that a substantial reservoir of San Francisco/SFIA patronage remains to be served by certificated transportation.

There are more than 20,000,000 passengers annually who require transport between SFIA and Bay Area points. Airporter conveys about 1,400,000 per annum, and its passenger count is declining. Lorrie's conveyed 93,000 fares for the first six months of 1982, from which we may assume an annual volume of 185,000 passengers. This leaves over 18,000,000 prospective passengers using cabs, private cars, going to destinations other than San Francisco, or using other certificated carriers. Based on the number of inquiries received by applicants, it appears that there is a high degree of public interest in the proposed service.

Airporter's load factor has declined from 24 to 19% recently. Lorrie's, in its best months, has a load factor of only 30%. These protestants are suffering patronage losses and idle capacity at the same time that private parking volume at SFIA has increased from 3,450,000 in 1980 to 3,950,000 in 1982, a gain of 500,000 vehicles in airport vehicular traffic.

We cannot concur with protestants that their records of declining patronage and accumulating operating losses will somehow be reversed if we only will cease certificating additional carriers in the San Francisco corridor. We rather think that the hard head-to-head competition which will undoubtedly ensue upon the entry of Yellow and Luxor into the field will result in better service to the traveling public, both by the applicants and by the protestants.

Luxor and Yellow testified that each proposed to use its existing taxicab fleet for backup service in the event that vans were unavailable during busy periods. However, neither entity had any plan whereby an observer or potential passenger could ascertain whether a taxicab was operating in the proposed "on-call" service as distinguished from operating as a taxicab. This problem was to be resolved at a later time, according to the testimony.

We believe, however, that this question of proper identification of service vehicles is an important one. Lack of proper identification can lead to a good degree of public confusion. Therefore, we will not authorize the backup taxicab element of applicants' proposals. ✓

We will grant the certificates limited to vans only.

Wheelchair Access Vehicles

Of the ten vans that both Luxor and Yellow intend to acquire for SFIA service, if authority is granted, one van of each company will be equipped for wheelchair access by mechanical lift.

This improvement to existing options to travel to SFIA by persons confined to wheelchairs was commended by several members of the public - Arlene C. Wong, Valerie Kelly, and Phil Kenniston.

Tony Ruiz, president and general manager of Lorrie's, testified that it had a wheelchair accessible van in its fleet, and that it received so little use that the seats which had been removed to make room for an occasional wheelchair were replaced.

Findings of Fact

1. Yellow possesses the ability, experience, and financial resources to perform the proposed service.
2. Luxor possesses the ability, experience, and financial resources to perform the proposed service.
3. Protestant, Airporter, operates a scheduled bus service in areas sought to be served on an "on-call" basis by both Yellow and Luxor.

4. Protestant, Lorrie's, operates an "on-call" van service in areas sought to be served with parallel service by both Yellow and Luxor.

5. No segment of the population proposed to be served appeared in support of either applicants' or protestants' services.

6. There are in excess of 20,000,000 origin and destination passengers at SFIA each year who require transportation from and to the airport.

7. Lorrie's transports about 185,000 passengers per year.

8. Some 3,950,000 cars exited SFIA's garage and parking lots in the fiscal year ending June 30, 1982.

9. There was an increase of 500,000 in cars being parked at SFIA's garage and lots between 1980 and 1982.

10. In 1982 Airporter transported some 1,400,000 passengers, being about 140,000 fewer individuals than Airporter transported in the previous year.

11. Airporter's number of passengers carried has decreased each year from 1978 forward.

12. Airporter's passenger load factor has decreased from an average 24% to 19% in 1982.

13. In the first half of 1982 Lorrie's transported some 93,000 individuals in airport service.

14. Only 6.5% of Lorrie's passengers are derived from "on-call" service to homes and offices in San Francisco which Yellow and Luxor propose to also serve.

15. In its three years of certification Lorrie's has accumulated an operating loss of some \$76,000. It is earning a profit in 1982.

16. Lorrie's best load factor is 30%. Its load factor for the first six months of 1982 is 23%.

17. Some 20,000,000 persons arriving and leaving SFIA each year demonstrate a need for public transportation between SFIA and San Francisco.

18. That protestants provide transport to only 1,585,000 of these 20,000,000 potential customers demonstrates a need for more or different public transportation between SFIA and San Francisco.

19. Operating losses, declining patronage, unused vehicle capacity and increasing fares proved by Airporter and by Lorrie's show that they will not provide the additional services proposed by Yellow and Luxor to the satisfaction of this Commission.

20. Airporter will not provide the "on-call" service proposed by Yellow and by Luxor as Airporter conducts a scheduled bus service over fixed routes between San Francisco and SFIA.

21. Lorrie's will not provide the "on-call" service to offices and businesses proposed by Yellow and by Luxor as 93.5% of its profitable volume is derived from hotel pickups in San Francisco and scheduled service from SFIA.

22. Competition between Luxor, Yellow, Airporter, and Lorrie's, to the extent it will exist, will promote good service and will encourage innovative rate schedules and more efficient business practices.

23. There is public need for Yellow's proposed service.

24. There is public need for Luxor's proposed service.

25. There is public demand that one vehicle placed into service by Yellow and one vehicle placed into service by Luxor be equipped for wheelchair access.

26. Public convenience and necessity require that the "on-call" van service proposed by Yellow be certificated.

27. Public convenience and necessity require that the "on-call" van service proposed by Luxor be certificated.

28. It can be seen with certainty that there is no possibility that the activities in question may have a significant effect on the environment.

Conclusion

The applications should be granted as set forth in the ensuing order.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Yellow Cab Cooperative, Inc. authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1297, to transport persons and baggage.

2. A certificate of public convenience and necessity is granted to Luxor Cab Company authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1298, to transport persons and baggage.

3. Applicants 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 and timetables within 120 days after this order is effective.
- c. State in its tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

4. This certificate does not authorize the use of taxicabs in passenger stage service, either directly or as reserve vehicles.

5. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by the airport authority involved.

This order becomes effective 30 days from today.

Dated JUN 29 1983, at San Francisco, California.

I dissent.

DONALD VIAL, Commissioner

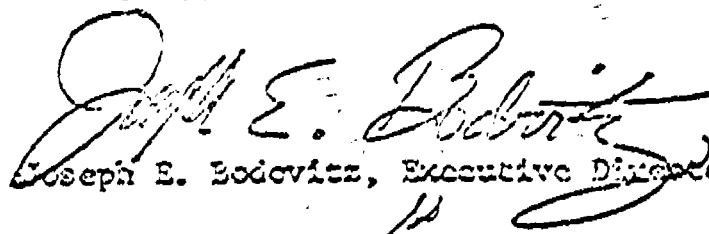
LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
Commissioners

I dissent.

WILLIAM R. FARLEY, Commissioner

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


Joseph E. Bodovitz, Executive Director

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Appendix PSC-1297 YELLOW CAB COOPERATIVE, INC. Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

PSC-1297

Showing passenger stage operative rights, restrictions,
limitations, exceptions, and privileges
applicable thereto.

All changes and amendments as authorized by the Public Utilities
Commission of the State of California will be made as
revised pages or added original pages.

Issued under authority of Decision 83 06 034
dated JUN 29 1983, of the Public Utilities Commission of
the State of California in Application 82-06-06.

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Appendix PSC-1297 YELLOW CAB COOPERATIVE, INC. Original Page 1

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS.

Yellow Cab Cooperative, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to provide on-call, door-to-door service for passengers and their baggage between San Francisco International Airport and points within San Francisco subject to the restrictions set forth below:

- a. Vans having a carrying capacity not to exceed 11 passengers shall be used. At least one of these shall be equipped with a wheelchair lift and be available daily.
- b. No taxicabs shall be used to provide service under this certificate.
- c. No passengers shall be transported except those having an origin or destination at the San Francisco International Airport and an origin or destination within the San Francisco service territory.

Issued by California Public Utilities Commission.

Decision 83 06 034, in Application 82-06-06.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS. (Continued)

- d. Yellow Cab Cooperative, Inc., shall provide on-call service for any prospective passenger in San Francisco providing at least three hours' notice of intent to travel to the San Francisco International Airport. Although service shall be provided in response to advance telephone reservations, the carrier shall also transport persons who request transportation in person while the vehicles are operating. Priority shall be given to advance telephone reservations, however, in the event that not all passengers can be seated in a given vehicle. Conditions attendant to the reservations process, including the amount of advance time required to assure transportation in response to a reservation, shall be set forth in the carrier's tariffs and timetables to be filed with this Commission.
- e. The service shall be available at all times.
- f. This passenger stage service shall be operated and marketed as a distinct service, with vehicles, telephone directory listing(s) and telephone reservation number(s) different from those of any other transportation services. Applicant shall not sell or refer callers for these certificated services to taxicab transportation within the service area described below.

Issued by California Public Utilities Commission.

Decision 83 06 034, in Application 82-06-06.

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Appendix PSC-1297

YELLOW CAB COOPERATIVE, INC.

Original Page 3

SECTION 2. ROUTE DESCRIPTION.

Between points within the San Francisco service territory and the San Francisco International Airport airline passenger terminals.

SECTION 3. SERVICE AREA DESCRIPTION.

The San Francisco service territory is defined for this certificate as all the territory within the limits of the City and County of San Francisco.

Issued by California Public Utilities Commission.

Decision 83 06 064, in Application 82-06-06.

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

PSC-1298

Showing passenger stage operative rights, restrictions,
limitations, exceptions, and privileges
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Commission of the State of California will be made as
revised pages or added original pages.

Issued under authority of Decision 83 06 034
dated JUN 28 1935, of the Public Utilities Commission of
the State of California in Application 82-06-09.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS.

Luxor Cab Company, a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to provide on-call, door-to-door service for passengers and their baggage between San Francisco International Airport and points within San Francisco subject to the restrictions set forth below:

- a. Vans having a carrying capacity not to exceed 11 passengers shall be used. At least one of these shall be equipped with a wheelchair lift and be available daily.
- b. No taxicabs shall be used to provide service under this certificate.
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Issued by California Public Utilities Commission.

Decision 83 66 034, in Application 82-06-09.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS. (Continued)

- d. Luxor Cab Company, shall provide on-call service for any prospective passenger in San Francisco providing at least three hours' notice of intent to travel to the San Francisco International Airport. Although service shall be provided in response to advance telephone reservations, the carrier shall also transport persons who request transportation in person while the vehicles are operating. Priority shall be given to advance telephone reservations, however, in the event that not all passengers can be seated in a given vehicle. Conditions attendant to the reservations process, including the amount of advance time required to assure transportation in response to a reservation, shall be set forth in the carrier's tariffs and timetables to be filed with this Commission.
- e. The service shall be available at all times.
- f. This passenger stage service shall be operated and marketed as a distinct service, with vehicles, telephone directory listing(s) and telephone reservation number(s) different from those of any other transportation services. Applicant shall not sell or refer callers for these certificated service to taxicab transportation within the service area described below.

Issued by California Public Utilities Commission.

Decision 83 06 034, in Application 82-06-09.

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Appendix PSC-1298

LUXOR CAB COMPANY

Original Page 3

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Luxor and Yellow testified that each proposed to use its existing taxicab fleet for backup service in the event that vans were unavailable during busy periods. However, neither entity had any plan whereby an observer or potential passenger could ascertain whether a taxicab was operating in the proposed "on-call" service as distinguished from operating as a taxicab. This problem was to be resolved at a later time, according to the testimony.

We believe, however, that this question of proper identification of service vehicles is an important one. Lack of proper identification can lead to a good degree of public confusion. Therefore, we will not authorize the backup taxicab element of applicants' proposals.

We will grant the certificates limited to vans only.

Wheelchair Access Vehicles

Of the ten vans that both Luxor and Yellow intend to acquire for SFIA service, if authority is granted, one van of each company will be equipped for wheelchair access by mechanical lift.

This improvement to existing options to travel to SFIA by persons confined to wheelchairs was commended by several members of the public - Arlene C. Wong, Valerie Kelly, and Phil Kenniston.

Tony Ruiz, president and general manager of Lorrie's, testified that it had a wheelchair accessible van in its fleet, and that it received so little use that the seats which had been removed to make room for an occasional wheelchair were replaced.

Findings of Fact

1. Yellow possesses the ability, experience, and financial resources to perform the proposed service.
2. Luxor possesses the ability, experience, and financial resources to perform the proposed service.
3. Protestant, Airporter, operates a scheduled bus service in areas sought to be served on an "on-call" basis by both Yellow and Luxor.