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Decision 97-06-054 June 11, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Quake City Shuttle, Inc., to establish a zone of rate freedom (ZORF) for its airport passenger fares between its authorized service areas in San Francisco, San Mateo, Santa Clara, Contra Costa, and Alameda counties, to and from the Oakland and San Francisco Airports.

ORIGINAL

Application 97-01-051
(Filed January 24, 1997)

O P I N I O N

Quake City Shuttle (applicant), a corporation is authorized by Decision (D.) 95-04-060, as amended by D.96-12-035, to operate as an on-call passenger stage corporation (PSC-9682) an on-call service between points in the Counties of San Francisco, San Mateo, Santa Clara, Alameda, and Contra Costa, on the one hand, and San Francisco (SFO) and Oakland (OAK) International Airports, on the other hand.

Applicant requests authority pursuant to Public Utilities (PU) Code §§ 454.2 to establish Zone of Rate Freedom (ZORF) fares, between points in the above authorized counties, on the one hand, and SFO and OAK, on the other hand. The present and proposed ZORF fares are shown in Exhibit D, attached to the application. The proposed ZORF fares are reasonable.

On Original Page 4 of applicant's present tariff, CA PUC 1, effective June 10, 1995, on file with the Commission are the fares between SFO and San Francisco. The one-way fares are for: (1) adults at \$10, (2) special discount fare when two persons travel together at \$9 each, (3) seniors who are 60 years and above, airline employees, persons working at SFO, travel agents, and groups of three or more persons at \$8 each, (4) children between 2 through 12 years at \$4, (5) infants under two years who travel free and (6) multiple ride tickets of five or more at \$8 each way. Applicant also offers free promotional and complimentary rides which have not been authorized by the Commission, and proposes to remove them from its tariff. The removal of these free fares is proper. Applicant also proposes to remove the other special fares discussed in

the above items. Before this action can be taken, applicant is required to file another application requesting the elimination of these fares under PU Code § 454, as it would result in fare increases. PU Code § 454.2 only authorizes an increase or decrease in fares from its present fares, within the zone of maximum and minimum fares, due to competitive circumstances.

In its proposed ZORF fares shown in Exhibit D, the applicant has included rules in computing the fares for a person or persons who are traveling together in a group of two or more. These rules are ambiguous or unclear. In its letter dated April 23, 1997, addressed to the Rail Safety and Carriers Division (staff), applicant agreed to change the rules as suggested by the staff.

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

Notice of filing of the application appeared in the Commission's Daily Calendar on February 6, 1997. No protest has been received. The applicant notified the affected cities, SFO, and OAK.

The staff recommends that the application be granted.

Findings of Fact

1. Applicant is authorized to operate as an on-call passenger stage corporation (PSC-9682) between points in the Counties of San Francisco, San Mateo, Santa Clara, Alameda, and Contra Costa, on the one hand, and SFO and OAK, on the other hand.

2. Applicant requests authority to establish ZORF fares between its authorized service points, on the one hand, and SFO and OAK, on the other hand, as shown in Exhibit D, attached to the application. The ZORF fares are fair and reasonable.

3. Applicant proposes to remove the special fares shown on Original Page 4 in CA PUC 1 Tariff, that was made effective on June 10, 1995. PU Code § 454.2 only authorizes increase or decrease in fares due to competitive conditions. The removal of the special fares will result in fare increases that require justification under PU Code § 454.

4. Applicant agreed to change the rules pertaining to group fares as suggested by the staff.

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

6. No protests to the application have been filed.

Conclusions of Law

1. The application for the ZORF fares as shown in Exhibit D, attached to the application, should be granted.

2. Applicant is required by PU Code § 454 to file an application with the Commission for authority to eliminate the special fares shown on Original Page 4 in CA PUC 1 Tariff that was made effective June 10, 1995.

3. The staff shall review the rules of the applicant's tariff to ascertain that they are fair, clear, and reasonable.

4. Before applicant changes fares under the ZORF fares authorized below, applicant should give this Commission ten days' notice.

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

6. 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. Quake City Shuttle, Inc. (applicant), a corporation, is authorized under Public Utilities (PU) Code § 454.2 to establish Zone of Rate Freedom (ZORF) fares between its authorized service points, on the one hand, and San Francisco and Oakland International Airports, on the other hand, as shown on Exhibit D, attached to the application.

2. The special fares, except the free promotional and complimentary rides, shown on Original Page 4 of CA PUC 1 Tariff, effective June 10, 1995, shall remain effective.

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

4. Applicant may make changes within the ZORF fares by filing amended tariffs on not less than ten days' notice to the Commission and to the public. The tariff shall include between each service points the authorized maximum and minimum fares and the fare to be charged.

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 five 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.

7. This application is closed.

This order is effective today.

Dated June 11, 1997, at San Francisco, California.

P. GREGORY CONLON
President
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
Commissioners