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Decision 97-09-027 September 3, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of North Shuttle Service, Inc. dba Yellow Airport Express for Authority to Establish a Zone of Freedom for Passenger Stage Corporation Service Authorized Under PSC-8939.

ORIGINAL
Application 97-04-056
(Filed April 28, 1997)

O P I N I O N

North Shuttle Service Inc., doing business as Yellow Airport Express, requests authority to establish a Zone of Rate Freedom (ZORF) pursuant to Public Utilities (PU) Code § 454.2.

Applicant is authorized by Decision 95-11-046 to operate as an "on-call" passenger stage corporation (PSC-8939) between points in the Counties of Santa Clara, San Mateo, San Francisco, Alameda, Contra Costa, and Main, on the one hand, and San Francisco (SFO), Oakland (OAK), and San Jose (SJC) International Airports, on the other hand.

Applicant requests authority to establish a (ZORF) of \$5 above and below its present fares as published in its Local Passenger Tariff No.1, CA PUC 1. The minimum fare shall be not less than \$4 for any one-way fare. Applicant also requested relief from the provisions of the long- and short-haul provisions of the PU Code § 460. Applicant sent a letter dated June 9, 1997, to the Rail Safety and Carriers Division (staff), stating that the request for relief from the long- and short-haul provisions be disregarded as it is not needed.

The staff is of the opinion that the establishment of the ZORF of \$5 is fair and reasonable.

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 April 30, 1997. No protest has been received. The applicant notified the affected airports and cities.

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-8939) between points in the Counties of Santa Clara, San Mateo, San Francisco, Alameda, Contra Costa, and Main, on the one hand, and SFO, OAK, and SJC, on the other hand.
2. Applicant requests authority to establish a ZORF of \$5 above and below its present fares published in its Local Passenger Tariff No. 1, CA PUC 1, but not less than a minimum fare of \$4 one-way. The ZORF is fair and reasonable.
3. Applicant has withdrawn its request for relief under PU Code § 460.
4. Applicant competes with passenger stage corporations, taxi cabs, limousines, buses, and automobiles in its operations.
5. No protests to the application have been filed.

Conclusions of Law

1. The application for a ZORF should be granted.
2. Before applicant changes fares under the ZORF authorized below, applicant should give this Commission 10 days' notice.
3. 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 and the then currently effective fare.
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. North Shuttle Service, Inc., a corporation, doing business as Yellow Airport Express (applicant), is authorized under Public Utilities (PU) Code § 454.2 to establish a Zone of Rate Freedom (ZORF) fares between \$5 below and above its present authorized fares published in its Local Passenger Tariff No. 1. The minimum fare shall not be less than \$4 one-way.
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 between each service points the authorized maximum and minimum fares and the fare to be charged.
4. 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.
5. The application is granted as set forth above.

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6. This proceeding is closed.

This order is effective today.

Dated September 3, 1997, at San Francisco, California.

P. GREGORY CONLON

President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners