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Decision 98-01-012 January 7, 1998

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Abbas Khoobiyary dba Metropolo  
Transportation to establish a Zone of Rate Freedom  
for its tariff rates.

Application 97-10-042  
(Filed October 15, 1997)

**ORIGINAL**

**OPINION**

Abbas Khoobiyary (applicant), an individual, requests authority to establish a Zone of Rate Freedom (ZORF) pursuant to Public Utilities (PU) Code § 454.2.

Applicant is authorized by Decision 96-09-028 to operate as a scheduled passenger stage corporation (PSC-8869) between the hotels located in the County of Orange, on the one hand, and Knott's Berry Farm, Buena Park, and South Coast Plaza, Newport Beach, on the other hand.

Applicant requests authority to establish a (ZORF) of \$10 above and below his present fares as published in his Local Passenger Tariff No.1, CA PUC 1. The minimum adult one-way fare shall not be less than \$2.

The staff is of the opinion that the establishment of the ZORF of \$10 is fair and reasonable.

Applicant competes with other passenger stage corporations, taxicabs, limousines, buses, and automobiles in his service area.

Notice of filing of the application appeared in the Commission's Daily Calendar on October 21, 1997. No protest has been received. In its letter of December 1, 1997, attorney for the applicant notified the Rail Safety and Carriers Division that it has served copies of the application to the City of Newport Beach, Knott's Berry Farm, and South Coast Plaza Mall. The applicant also notified the City of Buena Park and Orange County. The staff recommends that the application be granted.

**Findings of Fact**

1. Applicant is authorized to operate as a scheduled passenger stage corporation (PSC-8869) between the hotels located in the County of Orange, on the one hand, and Knott's Berry Farm, Buena Park, and South Coast Plaza, Newport Beach, on the other hand.

2. Applicant requests authority to establish a ZORF of \$10 above and below his present fares, as published in his Local Passenger Tariff No. 1, CA PUC 1, but not less than an adult one-way minimum fare of \$2. The ZORF is fair and reasonable.

3. Applicant competes with passenger stage corporations, taxicabs, limousines, buses, and automobiles in his operations.

4. No protests to the application have been filed.

**Conclusions of Law**

1. The application for a ZORF of \$10 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. Abbas Khoobiyary (applicant), an individual, is authorized under Public Utilities (PU) Code § 454.2 to establish a Zone of Rate Freedom (ZORF) fares of \$10 below and above his present authorized fares published in his Local Passenger Tariff No. 1. The minimum adult one-way fare shall not be less than \$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

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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 his 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.

6. Application 97-10-042 is closed.

This order is effective today.

Dated January 7, 1998, at San Francisco, California.

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