

Decision 98-10-049 October 22, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of LORRIE'S TRAVEL AND TOURS, INC., a California Corporation for amendment to its certificate PSC-1003 between San Francisco and San Francisco International Airport to include scheduled service from Downtown San Francisco to San Francisco International Airport and Establish a Zone of Rate Freedom for its scheduled service.

Application 98-07-017
(Filed July 6, 1998)

ORIGINAL

O P I N I O N

Summary

Application to establish scheduled service in its downtown San Francisco territory to the San Francisco International Airport (SFO) granted.

Discussion

Lorrie's Travel and Tours, Inc. (Lorrie's) was recently awarded the right to provide scheduled bus service between Fisherman's Wharf and SFO and the Van Ness Corridor and SFO by the San Francisco Airport Commission. Lorrie's now comes to this Commission to amend its certificate of public convenience and necessity to permit this new operation.

Lorrie's presently provides an on-call service for passengers and their baggage from San Francisco and Oakland to SFO pursuant to passenger stage certificate PSC-1003. By this application it seeks to amend its certificate to provide scheduled service within its downtown San Francisco territory, which it designates as Territory 1. The service would be to regular stops over a regular route at scheduled times, seven days per week. Lorrie's proposes a Fisherman's

Wharf route servicing hostelrys in that area; a Van Ness Avenue route to service hotels at Lombard Street and Van Ness Avenue, the Miyako Hotel and Inn, and the Cathedral Hill Hotel; and a second Van Ness Avenue route would serve the Richelieu Hotel, the Travelodge Downtown, the Ramada Hotel Market, the Holiday Inn Civic Center, the Best Western Americana and the Travelodge Central. Maps showing the routes of the proposed service and the names and locations of the hotels involved are included in the application.

Lorrie's proposes initial fares of \$12.00 per adult passenger for this service and eight dollars for children. Lorrie's also requests authority to establish a zone of rate freedom (ZORF) of \$2 above and below the proposed fares, as shown in Exhibit D, attached to the application.

Also attached to the application are financial statements indicating that Lorrie's has the financial strength to provide the new service while continuing its existing service. Lorrie's indicates that it will service the new routes with ten mini-buses, eight of which will be wheel chair accessible. The application states that a copy of the application has been served on all public transit operators in the area sought to be served. Applicant will compete with other passenger stage corporations, taxi cabs, limousines, buses, and automobiles in its service area. No protests to the application have been received.

In Resolution ALJ 176-2997 dated July 23, 1998, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were necessary. No protests have been received. Given this status and the need for service, the assigned Commissioner, pursuant to Rule 6(a)(3) of the Commission's Rules of Practice and Procedure (Rules) has ruled that a public hearing is not necessary. (Rule 6.5(b).) This Ruling is affirmed by the action of the Commission in signing this opinion.

Findings of Fact

1. Lorrie's is an on-call passenger stage corporation (PSC-1003) operating between the cities of San Francisco and Oakland, on the one hand, and SFO, on the other hand.
2. Lorrie's has been awarded the right to provide scheduled bus service to SFO from Fisherman's Wharf and along the Van Ness Corridor from the San Francisco Airport Commission.
3. Lorrie's proposes fares of \$12 per adult and \$8 per child up to age 12 for each one-way trip.
4. Lorrie's requests authority to establish a ZORF of \$2 above and below the proposed fares.
5. Lorrie's has attached a proposed route and schedule of stops for the new service. It will devote ten mini-busses to this service, eight of which will have wheelchair lifts.
6. Lorrie's enclosed a balance sheet and income statement showing its financial position as of the end of 1997.
7. Lorrie's will compete with passenger stage corporations, taxi cabs, limousines, buses, and automobiles in its operations.
8. There have been no protests to the application received by the Commission.

Conclusions of Law

1. Lorrie's has the financial ability to perform the service requested in the application.
2. Lorrie's has the equipment to provide the service in the application.
3. Lorrie's has been awarded the right to provide the service from Fisherman's Wharf and the Van Ness Corridor to SFO by the San Francisco Airport Commission.

4. The proposed fares and ZORF requested by Lorrie's are fair and reasonable.
5. Public convenience and necessity have been demonstrated and the application should be granted as requested.
6. It can be seen with certainty that there will be no significant effect on the environment resulting from this activity
7. Since the matter is uncontested, the decision in this matter should become effective on the date it is signed.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity granted to Lorrie's Travel and Tours, Inc. (Lorrie's), a corporation, authorizing it to operate as a passenger stage corporation, as defined in Public Utilities (PU) Code § 226, to transport persons and their baggage between the points and over the routes set forth in Appendix PSC-1003 of Decision 82-06-048, is further amended by replacing Fifth Revised Page 3 with Sixth Revised Page 3 and Original Page 6, subject to the conditions contained in the following paragraphs.
2. Lorrie's 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 the 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 101, 104, and 158, and the California Highway Patrol (CHP) safety rules.

- e. Comply with the controlled substance and alcohol testing certification program pursuant to PU Code § 1032.1 and General Order Series 158.
- f. Maintain accounting records in conformity with the Uniform System of Accounts.
- g. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.
- h. Comply with PU Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
- i. Enroll all drivers in the pull notice system as required by § 1808.1 of the Vehicle Code.

3. Lorrie's is authorized under PU Code § 454.2 to establish a zone of rate freedom (ZORF) of \$2 above and below its proposed fares as shown in Exhibit D, attached to the application.

4. Lorrie's 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 120 days after the effective date of this order.

5. Lorrie's 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 the authorized maximum and minimum fares and the fare to be charged between each pair of service points.

6. 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.

7. Before the beginning service to any airport, Lorrie's shall notify the airport's governing body. Lorrie's shall not operate into or on airport property unless such operations are also authorized by the airport's governing body.

8. Lorrie's is authorized to begin operations on the date that the Rail Safety and Carriers Division mails a notice to applicant that its evidence of insurance and other documents required by Ordering Paragraph 2 have been filed with the Commission and that the CHP has approved the use of applicant's vehicles for service.

9. The certificate of public convenience and necessity to operate as a passenger stage corporation (PSC-1003), granted herein expires, unless exercised within 120 days after the effective date of this order.

10. The ruling of the assigned Commissioner that a hearing is not necessary pursuant to Rule 6.5(b) is affirmed.

11. The application is granted as set forth above.

12. This proceeding is closed.

This order is effective today.

Dated October 22, 1998, at San Francisco, California.

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

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

- d. All passengers transported to or from the Oakland International Airport (OAK) shall have origin or destination in Territory 1.
- e. Operations from Territory 1 to San Francisco International Airport (SFO) shall be conducted on an on-call basis and from SFO to Territory 1, on a scheduled basis or on-call basis or both, *except between the routes shown on Original Page 6.
- f. Operations between Territories 2 and 3 and SFO shall only be conducted on an on-call basis or scheduled basis or both.
- g. Operations between Territory 1 and OAK shall only be conducted on an on-call basis.
- h. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- i. No taxicabs shall be used to provide service under this certificate.
- j. Operate shall not sell or refer callers for the certificated service to taxicab transportation.

Issued by California Public Utilities Commission.

*Revised by Decision 98-10-049, Application 98-07-017.

SECTION III. ROUTE DESCRIPTIONS. (Continued)

***Scheduled Service:**

***Route A - Fisherman's Wharf, San Francisco**

Commencing from Ramada Hotel at 590 Bay Street, then, to the following hotels:
Howard Johnson Hotel, 580 Beach Street Holiday Inn, 1300 Columbus Ave.
Marriott Hotel, 1250 Columbus Avenue. Hyatt Hotel, 555 North Point
Tuscan Inn, 425 North Point Sheraton Hotel, 2500 Mason St.
Travelodge, 250 Beach St.
and over the most convenience streets, highways and freeways to San Francisco
International Airport (SFO).

***Route B - North Van Ness, San Francisco**

Commencing from Vagabond Inn, 2550 Van Ness Ave., then to the following hotels:
Comfort Inn by the Bay, 2775 Van Ness Ave. Holiday Inn, Van Ness and Pine
Cathedral Hill Hotel, Van Ness and Geary Miyako Inn, 1800 Sutter St.
Miyako Hotel, 501 Geary St.
and over the most convenient streets, highways and freeways to SFO.

***Route C - South Van Ness, San Francisco**

Commencing from Richelieu Hotel, 10550 Van Ness Ave., then to the following hotels:
Travelodge, 790 Ellis St. Ramada Hotel Civic Center, 1231 Market St.
Holiday Inn, 580 8th St. Best Western Americana, 121 7th St.
Travelodge, Central, 1707 Market St.
and over the most convenient streets, highways and freeways to SFO.

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