

Decision 00-02-009 February 3, 2000

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

Application of the Antelope Valley Airport Express, Inc. (PSC 1348) to establish a Zone of Rate Freedom and individual fares for passenger stage service between points in authorized service area and Los Angeles International Airport.

Application 99-10-006  
(Filed October 6, 1999)

**O P I N I O N****Summary**

This decision grants the application of Antelope Valley Airport Express, Inc. (Applicant), a corporation, to establish a Zone of Rate Freedom (ZORF) pursuant to Pub. Util. Code § 454.2.

**Discussion**

Applicant is authorized by Decision (D.) 84-08-111, as amended, to operate as a scheduled passenger stage corporation (PSC-1348) between Lancaster/Palmdale and Newhall, on the one hand, and Los Angeles International Airport (LAX) and Burbank Airport (BUR), on the other hand.

The present one-way adult fares between its service area and LAX and BUR, as filed with the Commission, are \$35 and \$30, respectively. In this application, Applicant requests authority to establish a ZORF of \$25 above and below its present adult one-way fares, as published in its Local Passenger Tariff, CA PUC 1. In its letter of November 5, 1999, to the Rail Safety and Carriers Division, Applicant indicated that the request to establish this ZORF is due to the need to purchase additional equipment to meet the demands in its service area.

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

The establishment of the ZORF is fair and reasonable.

Notice of filing of the application appeared in the Commission's Daily Calendar on October 18, 1999.

In Resolution ALJ 176-3025 dated October 21, 1999, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3025.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code § 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

### **Findings of Fact**

1. Applicant is currently authorized to operate as a scheduled passenger stage corporation (PSC-1348) between Lancaster/Palmdale and Newhall, on the one hand, and LAX and BUR, on the other hand.
2. Applicant requests authority to establish a ZORF of \$25 above and below its present adult one-way fares, as published in its Local Passenger Tariff, CA PUC 1. The ZORF is fair and reasonable.
3. Applicant competes with passenger stage corporations, taxi cabs, limousines, buses, and automobiles in its operations.
4. No protests to the application have been filed.

### **Conclusions of Law**

1. The application to establish a ZORF of \$25 above and below its present published fares filed with this Commission 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 pair of service points 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. Antelope Valley Airport Express, Inc. (Applicant), a corporation, is authorized under Pub. Util. Code § 454.2 to establish a Zone of Rate Freedom (ZORF) of \$25 above and below its present authorized adult one-way fares published in its Local Passenger Tariff No. 1.
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 pair of 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 five 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. This proceeding is closed.

This order is effective today.

Dated February 3, 2000, at San Francisco, California.

RICHARD A. BILAS  
President  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
CARL W. WOOD  
LORETTA M. LYNCH  
Commissioners