

Decision 99-09-053 September 16, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of 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 99-06-014
(Filed June 14, 1999)

OPINION

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.

Applicant was authorized by D.92-06-012 to increase its fares under Pub. Util. Code § 454. Applicant published these increased fares in its Local Passenger Tariff No. 1 made effective on June 15, 1992. Subsequently, Applicant was also authorized by D.94-09-027 to establish a ZORF of \$10 above and below its existing fares before or by November 1, 1995, the expiration date. The Commission does not have any record that Applicant ever has established the authorized ZORF. The present one-way adult fares between its service area and LAX and BUR, filed with the Commission, are \$25 and \$20, respectively. In this application, Applicant requests authority to establish a ZORF of \$10 above and

below its present adult one-way fares, as published in its Local Passenger Tariff, CA PUC 1. The fares shown under caption "Existing Rates" in Exhibit B, attached to the application, were not previously published in Applicant's tariff and filed with the Commission.

The staff is of the opinion that the establishment of the ZORF of \$10 above and \$10 below Applicant's present fares filed with this Commission 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 June 15, 1999. Applicant notified the affected airports and cities.

In Resolution ALJ 176-3018 dated June 24, 1999, the Commission preliminarily categorized this application as ratesetting and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's Rail Safety and Carriers Division recommends that this application be granted. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3018.

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 \$10 above and below its present adult one-way fares, as published in its Local Passenger Tariff, CA PUC 1. Exhibit B, attached to the application, indicates the existing rates and fares. These rates and fares have not been filed with this Commission. 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 \$10 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.

ORDER

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 \$10 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

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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. This proceeding is closed.

This order is effective today.

Dated September 16, 1999, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
JOEL Z. HYATT
CARL W. WOOD
Commissioners