

Decision 99-11-012 November 4, 1999

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

In the Matter of the Application of Jose Luis Ayala-Aroche, an individual doing business as El Corre Caminos, for authority to establish a Zone of Rate Freedom for passenger stage service (PSC-11518).

Application 99-08-038  
(Filed August 18, 1999)

**O P I N I O N**

**Summary**

This decision grants the application of Jose Luis Ayala-Aroche (Applicant), an individual, doing business as El Corre Caminos, to establish a Zone of Rate Freedom (ZORF) pursuant to Pub. Util. Code § 454.2.

**Discussion**

Applicant is authorized by Decision (D.) 99-03-042 to operate as a scheduled passenger stage corporation (PSC) between San Ysidro, on the one hand, and Otay Mesa, Fontana, Pomona, Corona, Moreno Valley, Perris, Sun City, Murrieta, Temecula, and Escondido, on the other hand, and as an on-call PSC between the counties of San Bernardino and Riverside, on the one hand, and the International Airports of Los Angeles (LAX), Ontario (ONT), and San Diego (SAN), on the other hand, and between certain points in the counties of Riverside, San Bernardino and San Diego.

Applicant requests authority to establish a ZORF of 25% above and 15% below his present adult one-way fares, as published in his Local Passenger Tariff, CA PUC 1. The staff is of the opinion that the establishment of the ZORF is fair and reasonable.

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

Notice of filing of the application appeared in the Commission's Daily Calendar on August 18, 1999. Applicant notified the affected airports and cities.

In Resolution ALJ 176-3022 dated September 2, 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 176-3022.

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 by D.99-03-042 to operate as a scheduled PSC between San Ysidro, on the one hand, and Otay Mesa, Fontana, Pomona, Corona, Moreno Valley, Perris, Sun City, Murrieta, Temecula, and Escondido, on the other hand, and as an on-call PSC between the counties of San Bernardino and Riverside, on the one hand, and LAX, ONT, and SAN, on the other hand, and between certain points in the counties of Riverside, San Bernardino and San Diego.

2. Applicant requests authority to establish a ZORF of 25% above and 15% below his present adult one-way fares, as published in his 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 request to establish a ZORF of 25% above and 15% below Applicant's 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. Jose Luis Ayala-Aroche (Applicant), an individual, is authorized under Pub. Util. Code § 454.2 to establish a Zone of Rate Freedom (ZORF) of 25% above and 15% below his present authorized adult one-way fares published in his 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 his 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 November 4, 1999, at San Francisco, California.

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