

Decision_____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of TERRESTRIAL TROLLEY, LLC, dba MICKEYS SPACE SHIP SHUTTLE, for authority to expand the upper limits of the present Zones of Rate Freedom (ZORF) granted by Decision 08-11-107, under Section 454.2, et Seq., of the Public Utilities Code

Application 14-09-013
(Filed September 22, 2014)

D E C I S I O N G R A N T I N G A P P L I C A T I O N**Summary**

This decision grants the application of Terrestrial Trolley, LLC (PSC-5244), a California Limited Liability Corporation, to increase the upper limit of its Zone of Rate Freedom to \$16 for fares below or equal to \$20, to \$20 for fares between \$21 and \$40, and to \$40 for fares over \$40, pursuant to Pub. Util. Code § 454.

Discussion

Terrestrial Trolley, LLC (PSC-5244) (Applicant) is authorized to operate as a Passenger Stage Corporation (PSC) to transport passengers and their baggage between points in Orange County and parts of Los Angeles County, on the one hand, and Los Angeles International (LAX) and John Wayne (SNA) Airports, on the other hand. The certificate was granted in 1989 by Decision (D.) 89-11-003 and revised in 2000 by D.00-06-073, which granted a Zone of Rate Freedom (ZORF) of \$8 above and below fares of \$20 or less, \$10 above and below fares of \$21 to \$40, and \$20 above and below fares over \$40.

Applicant now requests to raise the upper limits of the existing ZORF, since it believes its fares are too far below those of the nearest competitors, and needs to make this change to remain a viable competitor. The new upper ZORF limits will be \$16 above fares of \$20 or less, \$20 above fares of \$21 to \$40, and \$40 above fares over \$40.

Applicant competes with other PSCs, taxicabs, limousines, public transit and automobiles in its service territory, so it will have to keep its rates competitive. This highly competitive environment should result in Applicant pricing its services at a reasonable level.

Notice of filing of the application appeared in the Commission's Daily Calendar on September 24, 2014. Applicant served a copy of the application to the cities, counties, and airports involved.

Categorization and Need for Hearings

In Resolution ALJ 176-3343 dated October 2, 2014, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3343.

Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

Safety Considerations

In order to be authorized to commence operations as a PSC, the Applicant must comply with the following requirements in order to protect public safety:

Proof of insurance pursuant to General Order Series 101, compliance with the controlled substance and alcohol testing program pursuant to Pub. Util. Code §1032.1 and General Order Series 158, and enrollment in the pull notice system as required by Section 1808.1 of the Vehicle Code.

Assignment of Proceeding

Elizaveta Malashenko is the assigned Examiner in this proceeding.

Findings of Fact

1. Applicant is authorized to operate as a PSC providing passenger transportation between points in Orange County and parts of Los Angeles County and LAX and SNA airports.
2. Applicant's existing ZORF of \$8 above and below fares of \$20 or less, \$10 above and below fares of \$21 to \$40, and \$20 above and below fares over \$40 was approved by D.00-06-073.
3. Applicant proposes to increase the upper limits of its ZORF to \$16 for fares of \$20 or less, to \$20 for fares between \$21 and \$40, and to \$40 for fares over \$40.
4. Applicant competes with other PSC's, taxicabs, charter limousines, vans, buses, and private automobiles in its operations. The ZORF is fair and reasonable.
5. No protest to the application has been filed.

Conclusions of Law

1. The application should be granted because the proposed fares are justified under Pub. Util. Code § 454.
2. Because the matter is uncontested, the decision should be effective on the date it is signed.
3. A public hearing is not necessary.

4. A California Environmental Quality Act review is not required for this decision because it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment.

O R D E R

IT IS ORDERED that:

1. Terrestrial Trolley, LLC (PSC-5244), a limited liability company, is authorized under Pub. Util. Code § 454 to increase the upper limits of its Zone of Rate Freedom to \$16 for fares of \$20 or less, to \$20 for fares of \$21 to \$40, and to \$40 for fares over \$40.

2. Terrestrial Trolley, LLC (PSC-5244), shall file a Zone of Rate Freedom (ZORF) tariff in accordance with the application on not less than ten days' notice to the Commission and to the public. The ZORF shall expire unless exercised within 120 days after the effective date of this decision.

3. Terrestrial Trolley, LLC (PSC-5244) may make changes within the Zone of Rate Freedom by filing amended tariffs on not less than ten 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.

4. In addition to filing tariffs, Terrestrial Trolley, LLC (PSC-5244), shall post notices explaining fare changes in its terminals and passenger-carrying vehicles. Such notices shall be posted at least ten 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 _____, at San Francisco, California.