

Decision 01-02-008 February 8, 2001

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of USA Shuttle Service, Inc. for authority to establish a Zone of Rate Freedom for operations as a passenger stage corporation.

Application 00-09-017
(Filed September 14, 2000)

O P I N I O N

Summary

This decision grants the application of USA Shuttle Service, 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.) 95-12-042, as amended by D.99-06-037 and D.00-06-061, to operate as an on-call passenger stage corporation (PSC-9362) between all or certain points in the counties of Alameda, Contra Costa, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, Colusa, Marin, Monterey, Napa, Sacramento, Sonoma, Sutter, and Yuba, on the one hand, and all or certain International Airports of San Francisco (SFO), Oakland (OAK), San Jose (SJC), and Sacramento (SMF), on the other hand.

Applicant requests authority to establish a ZORF of 50% above and 20% below any of its current fares published in its CA PUC No. 3, Local Passenger Tariff No. 3, filed with the Commission.

Applicant will compete with other PSCs, 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 September 19, 2000. Applicant notified the affected airports and transit agencies.

In Resolution ALJ 176-3047 dated September 21, 2000, 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 176-3047.

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 operate as an on-call PSC-9362 between all or certain points in the counties of Alameda, Contra Costa, San Francisco, San Joaquin, San Mateo, Santa Clara, and Solano, and certain points in the Counties of Colusa, Marin, Monterey, Napa, Sacramento, Sonoma, Sutter, and Yuba, on the one hand, and all or certain airports of SFO, OAK, SJC, and SM, on the other hand.
2. Applicant requests authority to establish a ZORF of 50% above and 20% below any of its current authorized fares filed with the Commission.
3. Applicant will compete with PSCs, taxi cabs, limousines, buses, and automobiles in its operations. The ZORF is fair and reasonable.
4. No protest to the application has been filed.
5. A public hearing is not necessary.

6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. The application for a ZORF should be granted.

2. Before Applicant changes any fares under the ZORF authorized below, Applicant shall give this Commission at least 10 days' notice. The filing of ZORF fares should be shown in the tariff showing between each pair of service points the high and low ends of the ZORF and the then currently effective fare.

3. Since the matter is uncontested, the decision should be effective on the date it is signed.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. USA Shuttle Service, Inc. (Applicant), a corporation, is authorized under Pub. Util. Code § 454.2 to establish a ZORF of 50% above and 20% below any of its current fares published in CA PUC No. 3, Local Passenger Tariff No. 3 and filed with the Commission.

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. The ZORF shall expire unless exercised within 120 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 the 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 thirty days.

5. The Application is granted as set forth above.

6. This proceeding is closed.

This order is effective today.

Dated February 8, 2001, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
RICHARD A. BILAS
CARL W. WOOD
GEOFFREY F. BROWN
Commissioners