

Decision 08-09-029 September 18, 2008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of Chamkaur Giri, doing business as Fairfield Airporter, for Authority to Establish a Zone of Rate Freedom for existing Passenger Stage Corporation Service (PSC 14611).

Application 08-05-015
(Filed May 8, 2008)

D E C I S I O N

Summary

This decision grants the application of Chamkaur Giri (Applicant), an individual, to establish a zone of rate freedom (ZORF), pursuant to Pub. Util. Code § 454.2.

Discussion

Applicant is authorized to operate as an on-call passenger stage corporation (PSC) to transport passengers and their baggage between points in Solano, Napa, and Yolo Counties, on the one hand and San Francisco (SFO), Oakland (OAK), and Sacramento (SMF) International Airports, on the other hand. The certificate was originally granted in 2002 by Decision (D.) 02-02-022 and was revised in 2004 by D.04-06-006.

The application requests authority to establish a ZORF of \$25 above and below Applicant's existing fares on file with the Commission. The one-way adult fares range between \$35 (Vallejo - SMF) and \$120 (Clarksburg (Yolo County) - OAK/SFO). Applicant states that competition in the market he serves is extremely competitive, and this condition is expected to markedly increase in the future with respect to both service and fares. He notes that in addition to the

large number of shuttle van carriers operating to and from the three airports, competing passenger services are provided by taxicabs, limousines, private automobiles, and charter van and bus services. According to Applicant, these services have a variety and wide range of fares which are based on the character of service provided by each and the level of competition for available patronage.

Applicant competes with other PSCs, taxicabs, charter limousines, vans, and buses, and private automobiles in his service area. This highly competitive environment should result in Applicant pricing his services at a reasonable level. Many other PSCs have been granted ZORFs. The requested ZORF is generally consistent with the ZORFs held by other PSCs.

Notice of filing of the application appeared in the Commission's Daily Calendar on May 14, 2008. In Resolution ALJ 176-3213 dated May 15, 2008, 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 176-3213.

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.

Assignment of Proceeding

Richard Clark is the assigned Examiner in this proceeding.

Findings of Fact

1. Applicant is authorized to operate as an on-call PSC to transport passengers and their baggage between points in Solano, Napa, and Yolo Counties, on the one hand, and SFO, OAK, and SMF, on the other hand.

2. Applicant requests authority to establish a ZORF of \$25 above and below his existing tariff fares.

3. Applicant competes with other PSCs, taxicabs, charter limousines, vans, and buses, and private automobiles in his 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 should give this Commission at least ten days' notice. The tariff should show the high and low ends of the ZORF and the then currently effective fare between each pair of service points.

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

O R D E R

IT IS ORDERED that:

1. Chamkaur Giri (Applicant), an individual, is authorized under Pub. Util. Code § 454.2 to establish a zone of rate freedom of \$25 above and below his current fares on file with the Commission.

2. Applicant shall file a 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. Applicant may make changes within the ZORF 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 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 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 decision is effective today.

Dated September 18, 2008, at San Francisco, California.

MICHAEL R. PEEVEY
President
DIAN M. GRUENEICH
JOHN A. BOHN
RACHELLE B. CHONG
TIMOTHY ALAN SIMON
Commissioners