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**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE** 8-15-14  
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**STATE OF CALIFORNIA**

Order Instituting Rulemaking on Regulations  
Relating to Passenger Carriers, Ridesharing,  
And New Online-Enabled Transportation  
Services

R.12-12-011

**COMMENTS OF SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY IN  
RESPONSE TO ASSIGNED COMMISSIONER'S RULING REGARDING COMMISSION'S  
RULES FOR LIMOUSINE OPERATORS AND OTHER CHARTER-PARTY CARRIERS**

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These comments are submitted on behalf of the San Francisco Municipal Transit Agency ("SFMTA") in response to the Assigned Commissioner's Ruling Regarding the Commission's Rules for Limousine Operators and Other Charter-party Carriers, filed July 16, 2014, ("the July 16 Ruling"). In its comments filed in response to the July 16 Ruling, the San Francisco International Airport ("SFO") argues that the California Public Utilities Commission ("the CPUC") lacks authority to limit how California airports conduct commercial operations on their roadways. For that reason, SFO urges the CPUC to rescind the July 16 Ruling. The SFMTA agrees with and endorses SFO's position. The SFMTA files these separate comments solely for the purpose seeking clarification from the CPUC regarding the extent of the Assigned Commissioner's July 16 amendment to the scope of this rulemaking proceeding.

For the following reasons, the SFMTA reads the July 16 Ruling as expanding the scope of Rulemaking 12-12-011 solely to address the question of the nature and extent of local airports' authority to impose conditions on charter-party carriers seeking permits to operate on airport property. First, the July 16 Ruling states that it seeks comment from the parties on the question whether "California airports [may] issue vehicle standards for Charter Party Carriers that operate on California airport property."<sup>1</sup> Second, the Assigned Commissioner issued the July 16 Ruling in response to a petition filed by the Greater California Livery Association that challenged local airports' authority to set rules with respect to the age, emissions, fuel economy, type of fuel used, and age of vehicles operating on airport property.<sup>2</sup> Third, the July 16 Ruling notes that the issue must be addressed "so the Commission, airports and Charter Party Carriers know whether airports can regulate vehicle standards . . . ."<sup>3</sup>

The SFMTA notes, however, that the language of the July 16 Ruling is, in some places, susceptible to a broader reading. The Ruling states that it is expanding the scope of Rulemaking 12-12-011 "to address whether the Commission has exclusive jurisdiction to regulate vehicle standards for Charter Party Carriers."<sup>4</sup> In addition, the Ruling asks the parties to file comments on "whether the Commission has the exclusive jurisdiction to regulate vehicle standards for Charter Party Carriers."<sup>5</sup> These statements imply, probably inadvertently, that the CPUC may go beyond the issue of the ability of airports to impose conditions on charter-party carriers operating on airport property, and address the issue of the jurisdiction of local entities to regulate charter-party carriers, including TNCs, operating

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<sup>1</sup> July 16 Ruling at 1.

<sup>2</sup> July 16 Ruling at 2, 4.

<sup>3</sup> July 16 Ruling at 5.

<sup>4</sup> July 16 Ruling at 5.

<sup>5</sup> July 16 Ruling at 6.

