

Decision No. 31170

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of THE GRAY LINE, INC. (San Fran-
cisco) for permission to consolidate
into one unified operation and ser-
vice fifteen sightseeing tours, and
for an "in lieu" certificate. }

Seventh Supplemental
Application No. 20401

BY THE COMMISSION:

O P I N I O N

By this supplemental application, The Gray Line, Inc. seeks authority from this Commission to establish a sightseeing tour, to commence and terminate at Daly City, in connection with its other tours within the city and county of San Francisco.

Applicant seeks permission to substitute Tour No. 1-A and Tour No. 1-B in lieu of Tour No. 1. Tour No. 1-A is to be operated from applicant's depot in San Francisco and to embrace the present route of applicant's Tour No. 1. Tour No. 1-B is to commence and terminate at Daly City and to include the route now traversed by Tour No. 1.

Applicant also proposes to substitute Tour No. 3-A and Tour No. 3-B in lieu of Tour No. 3. Tour No. 3-A is to be operated from applicant's depot and to embrace the present route of applicant's Tour No. 3. Tour No. 3-B to commence and terminate at Daly City and to include the route now traversed by applicant's Tour No. 3.

In justification for the authority sought herein applicant states that numerous requests have been received from people in auto camps in Daly City and vicinity for a sightseeing service through San Francisco and San Francisco's Chinatown and other interesting sections of San Francisco covered by applicant's tours No. 1 and No. 3.

Pacific Greyhound Lines has indicated to the Commission, in writing, that they will waive protest to the granting of this application with the provision that the point of origin and destination of passengers will be the same. Fialer's Inc., in writing, has likewise waived protest to the granting of this application.

This appears to be a matter in which a public hearing is not necessary. The application will be granted.

The Gray Line, Inc., is hereby placed upon notice that "operative rights" do not constitute a class of property which should be capitalized or used as an element of value in determining reasonable rates. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the state which is not in any respect limited to the number of rights which may be given.

O R D E R

IT IS HEREBY ORDERED that the Gray Line, Inc. be and it is hereby authorized to establish and operate an automotive sight-seeing service for the transportation of passengers as a common carrier, to commence and terminate at Daly City, in connection with its other tours within the city and county of San Francisco by the elimination of its present Tour No. 1 as authorized in Decision No. 28869, on Application No. 20401, and substituting in lieu thereof the following tours:

TOUR NO. 1-A - Leave Gray Line Depot (781 Market Street) to Civic Center; to Mission Dolores; Twin Peaks; through St. Francis Wood to Golden Gate Park; Cliff House, Warren Harding Boulevard through Lincoln Park, Lincoln Highway, Sea Cliff Terrance; through Presidio, Marina, Van Ness Avenue and back to Depot.

TOUR NO. 1-B - Leave Daly City thence to San Francisco to Civic Center; to Mission Dolores, Twin Peaks, through St. Francis Wood, to Golden Gate Park; Cliff House, Warren Harding Boulevard, through Lincoln Park, Lincoln Highway, Sea Cliff Terrace, through the Presidio, Marina, Van Ness Avenue, and return to Daly City.

IT IS HEREBY FURTHER ORDERED that Tour No. 3 as authorized in Decision No. 28869, on Application No. 20401, be eliminated by substituting in lieu thereof the following tours:

TOUR NO. 3-A - Leave Gray Line Depot, San Francisco, to Grant Avenue, Washington Street, walk through Chinatown; California and Washington Streets (rejoin car); thence to Telegraph Hill, Fisherman's Wharf, return to Depot.

TOUR NO. 3-B - Leave Daly City, thence to San Francisco, to Grant Avenue, Washington Street, walk through Chinatown, California and Washington Streets (rejoin car), thence to Telegraph Hill, Fisherman's Wharf, return to Daly City.

In all other respects Decision No. 28869, as amended, shall remain in full force and effect.

The authority herein granted is subject to the condition that applicant shall file within ten (10) days from the effective date hereof a supplement to its tariff and a time schedule giving effect to the authority herein granted.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 8th day of August, 1938.

Raffaello
Leon
Frank
Al

Commissioners.