

Decision No. 32192

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Certificate of
TANNER MOTOR TOURS, LTD., to operate
sightseeing tours from Los Angeles
to Death Valley and return.) Application No. 21645

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

On July 25, 1939, the Commission, by its Decision No. 32192 in this proceeding, granted a certificate to Tanner Motor Tours, Ltd. in lieu of all of its sight-seeing operative rights in the Death Valley region. Such certificate was granted subject to the condition that it would lapse and become void if the conditions attached thereto were not complied with within the times fixed in the order of said Decision No. 32192. None of the conditions was complied with and the authority therein granted is void.

Applicant by supplemental application has requested the Commission to issue an order restating and regranteeing the authority heretofore conferred by said Decision No. 32192 for the purpose of permitting applicant to proceed under the authority originally conferred.

As justification therefor applicant alleges that failure to comply with the conditions of the order of Decision No. 32192 was because of a misunderstanding and a desire to have certain portions of said decision clarified with respect to certain of its operations within the Death Valley Monument.

Therefore, good cause appearing,

IT IS ORDERED that the order contained in Decision No. 32192, dated July 25, 1939, in the above-entitled proceeding, and each and all of the terms and provisions thereof, be and they are hereby adopted and made a part hereof by reference, to the same extent and with the same force and effect as though the same were here set forth in full save and except section 2 of said order, appearing at sheet 5, which is hereby amended to read as follows:

2. A seasonal automotive service for the transportation of passengers and their baggage upon the demand of two or more passengers between the approximate dates of November 1st and April 30th of each following year, subject to weather conditions, between Death Valley Junction and Ubehebe Crater and intermediate points with diversions to points on the California-Nevada State Line, on the road between Scotty's Castle and Bonnie Clare, Nevada, on the Rhyolite-Titus Canyon Road, on the Rhyolite-Cloride Cliff Road, on the Daylight Pass Road, on the road to Beatty, Nevada; between Death Valley Junction and a point on the California-Nevada State Line where such State Line is intersected by State Route No. 127 and intermediate points over and along State Route No. 127; between Death Valley Junction and Furnace Creek Inn and intermediate points, via Dante's View and Ryan, or as an alternate route via Salsbury Pass, Bad Water, Salt Pools and Mesquite Wells.

IT IS FURTHER ORDERED that, in lieu of the conditions contained in the order of said Decision No. 32192, the following conditions be and they are hereby adopted and made a part hereof:

1. The authority herein granted shall lapse and be void if applicant shall not have complied with all of the conditions within the periods of time fixed herein unless, for good cause shown, the time shall be extended by further order of the Commission.

2. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed forty-five (45) days from the effective date hereof.

3. Applicant shall commence the service herein authorized within a period of not to exceed forty-five (45) days from the effective date hereof, and shall file in triplicate, and concurrently make effective on not less than ten days' notice to the Railroad Commission and the public, a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules which in volume and effect shall be identical with the rates and rules shown in the exhibit attached to the application in so far as they conform to the certificate herein granted, or rates and rules satisfactory to the Railroad Commission.

4. Applicant shall file in duplicate, and make effective within a period of not to exceed forty-five (45) days after the effective date of this order, on not less than five days' notice to the Railroad Commission and the public, a time schedule or time schedules covering the service herein authorized in a form satisfactory to the Railroad Commission.

5. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been obtained.

6. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

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

Dated at San Francisco, California, this 17th day of
October, 1939.

Raymond A. [Signature]
Frank P. [Signature]
Ray A. [Signature]
[Signature]
Justus J. Coe
COMMISSIONERS