

Decision No. 23883

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
TANNER MOTOR TOURS, LTD., a corpora-  
tion, for a certificate of public  
convenience and necessity to operate,  
as a common carrier for hire, certain  
sight-seeing tours from Long Beach to  
various points and return.

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) Application No. 23883  
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TUDOR GAIRDNER, for Applicant

CRAEMER, Commissioner:

O P I N I O N

Tanner Motor Tours, Ltd., a corporation, and applicant herein, is now and has for some years past been operating a common carrier automotive sight-seeing service throughout Southern California under a certificate of public convenience and necessity issued by this Commission.

By this application Tanner Motor Tours, Ltd. seeks to extend and enlarge its existing service by establishing and operating four additional tours originating at and destined to Long Beach and described as follows:

- (1) No. 450 - Pasadena, Huntington Library and Orange Groves Tour;
- (2) No. 451 - Los Angeles, Hollywood, Beverly Hills, Santa Monica and Palos Verdes Hills Tour;
- (3) No. 452 - Motion Picture Studio Tour;
- (4) No. 453 - San Diego Tour.

A public hearing in this matter was had in Long Beach on Monday, February 24, 1941, where testimony was received, the matter duly submitted and it is now ready for decision.

No protests to the granting of the authority herein sought were received. <sup>(1)</sup> Mac's Auto Tours was represented as an interested party at the proceeding but offered no protest when applicant gave assurance that a strictly sight-seeing service only was contemplated from and to Long Beach as outlined.

Three operating witnesses from the company itself testified to the scope, possibilities and actual operation of the proposed service. Six public witnesses, connected with the Chamber of Commerce, the Long Beach Hotel Association, the Apartment House Owners Association of Long Beach, three hotels and a transportation agency, also appeared and testified in support of applicant. In addition, the testimony of four other public witnesses was stipulated to as favoring the application to the same degree and in a manner similar to those above referred to.

The proposed service will be operated initially with limousine or sedan type vehicles pursuant to regular schedules and fixed rates as set forth in exhibits attached to the

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(1) The following listed parties received notice of the hearing: Southern Pacific Company, Pacific Greyhound Lines, Pacific Electric Railway Company, The Atchison, Topeka and Santa Fe Railway Company, Los Angeles Motor Coach Company, Bay Cities Transit Company, Asbury Rapid Transit System, Mac's Auto Tours, Gray Line Tours, Long Beach Motor Bus Company, Long Beach City Council and the Board of Public Utilities and Transportation of Los Angeles.

(2)  
application. Rules and regulations heretofore prescribed and established by the company will govern the operation of this service, including restrictions as to the minimum number of fares required for the operation of any particular tour. For the operation of this service applicant proposes to establish a headquarters in Long Beach, employ a manager and five or six driver-lecturers and will have four vehicles at Long Beach as an equipment nucleus sufficient to handle the volume of traffic expected. Additional equipment and personnel will be readily available from either the Los Angeles, Death Valley or Phoenix Divisions of the company, should the need be occasioned. This is particularly true with respect to the Death Valley region where seasonal restrictions on operations will release both operators and equipment for employment in other territory. Total mileage required to operate the four tours combined is approximately 500 miles and the elapsed time consumed by the respective tours is four, four and one-half, and nine hours, respectively, for tours Nos. 450, 451 and 452, while tour No. 453, the San Diego tour, will take approximately two days.

Included in the list of scenic attractions and points of interest proposed to be made available by the four tours listed are Long Beach Harbor, the oil fields, Pasadena, city of beautiful homes, the famous Huntington Library, the orange

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- (2) No. 450 leaves daily 2:00 P.M., returns 6:00 P.M., round trip \$2.50 per person.  
No. 451 leaves daily 8:30 A.M., returns 1:00 P.M., round trip \$3.25 per person.  
No. 452 leaves daily, except Sundays and holidays, 8:30 A.M., returns 5:30 P.M., round trip \$5.50 per person.  
No. 453 leaves daily, except Sundays and holidays, between July 1 and September 1 and thereafter on Tuesdays, Thursdays and Saturdays, at 9:30 A.M., returns at 6:00 P.M. the day following, round trip \$5.75 per person.

groves, Hollywood, Beverly Hills and the homes of the movie stars, Santa Monica and the beaches and beach cities, the Palos Verdes hills, the motion picture studios, including a trip inside the Warner Bros. Studio, the Hollywood Japanese Gardens, Grand Central Airport, Forest Lawn Memorial Park, points of interest in downtown Los Angeles, Will Roger's Ranch, Balboa Park, old town in San Diego, and a connecting tour to Tia Juana in Old Mexico.

Passengers will be picked up at designated hotels or apartment houses under applicant's proposal and will be returned there upon the completion of their tours.

Long Beach, the origin and destination point of the service here proposed, is a rapidly growing industrial, commercial and marine center which has increased its population by some 22,000 people in the last ten years. <sup>(3)</sup> Although prominent for the above-mentioned factors, Long Beach is, in addition, a great tourist, resort and convention city.

It is primarily for this tourist and convention group, as well as for the other visiting thousands, that applicant desires to establish the sight-seeing service here proposed and which, according to the record, Long Beach has long wanted and needed but heretofore never attained. Local business and civic groups, as represented by the witnesses heretofore referred to, were unanimous in their support of the proposal here before us.

It was pointed out that visitors to Long Beach desirous of visiting points of interest in and about Southern California

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(3) 1930 census, 142,000; 1940 census, 164,337.

are obliged either to make a rail trip to Los Angeles, use their own cars, or prevail upon friends or others to transport them about. The record further revealed, in the words of the Long Beach witnesses, that many visiting people do not have automobiles; further, those visitors having automobiles are either strangers or elderly, or both; are not informed as to the highway system and control and hence are averse to driving under traffic and other conditions strange to them which may occasion loss of time and often results in complete failure to accomplish their objective; and finally, it is alleged that these conditions have, in a number of instances, resulted in persons changing their abode from Long Beach to Los Angeles to the detriment and loss of the first named city.

Applicant is an experienced operator in this specialized field of passenger sight-seeing service. At the instigation of and with a promise of the full support and co-operation of the civic bodies and business enterprises most vitally concerned with the problem, applicant here requests an opportunity to establish a service which appears to be in the public interest, but which will succeed only if supported to a degree commensurate with the desire for it here expressed. Its highly specialized nature, dependent for recompense upon the sole factor of public interest in scenic areas, precludes other than a very general analysis of and reference to the possibility of its success or failure which can best be determined, in this instance, (1) by the experience and the background of the carrier itself, and (2) by the degree of support and co-operation offered by those in a position to benefit by its establishment.

The testimony of record definitely and conclusively points to the need of a service of the kind here proposed in

order to afford the particular portion of the public here spoken of a full opportunity to enjoy comfortably and safely the various natural and man-made points of scenic interest.

The record supports the granting of the application and I recommend the following form of order.

Tanner Motor Tours, Ltd. 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

Public hearing having been had in the above-entitled proceeding, evidence having been received, the matter having been duly submitted, the Commission now being fully advised in the premises and it being found as a fact that public convenience and necessity so require:

IT IS ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Tanner Motor Tours, Ltd., a corporation, for the establishment and operation of an automotive sight-seeing service for the transportation of passengers, as a passenger stage corporation, as such is defined in section 2½ of the Public Utilities Act, to commence and terminate in the city of Long Beach, consisting of four (4) tours

particularly described as Pasadena, Huntington Library and Orange Groves Tour, Los Angeles, Hollywood, Beverly Hills, Santa Monica and Palos Verdes Hills Tour, Motion Picture Studio Tour, and San Diego Tour, and numbered 450, 451, 452, and 453, respectively, as an extension and enlargement of its existing services and consolidated therewith.

IT IS FURTHER ORDERED that in the operation of said passenger stage corporation service pursuant to the foregoing certificate, Tanner Motor Tours, Ltd. shall comply with and observe the following service regulations:

1. File a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the date hereof.
2. Subject to the authority of this Commission to change or modify such at any time by further order, Tanner Motor Tours, Ltd. shall conduct said passenger stage corporation service over and along the following routes:

TOUR NO. 450

PASADENA, HUNTINGTON LIBRARY AND ORANGE GROVES TOUR

Leaving downtown Long Beach, thence north on Atlantic Boulevard to Mission Street, South Pasadena, thence left on Mission Street, to Orange Grove Avenue, thence right on Orange Grove Avenue to Arroyo Terrace, Pasadena, thence left on Arroyo Terrace to Grand Avenue, thence right on Grand Avenue to Colorado Street, thence left on Colorado Street to Wilson Avenue, thence right on Wilson Avenue to California Street, thence left on California Street to Allen Avenue, thence right on Allen Avenue to Orlando, thence left on Orlando to Oxford, thence right on Oxford to Huntington Library, thence left on Oxford to Orlando, thence left on Orlando to Rosalin Road, thence left on Rosalin Road to Virginia Drive, thence right on Virginia Drive to Oak Knoll, thence left on Oak Knoll to Huntington Drive, thence right on Huntington Drive to San Gabriel Boulevard, thence right on San Gabriel Boulevard to Rosemead Boulevard, thence right on Rosemead Boulevard to Lakewood Boulevard, continue on Lakewood Boulevard to Artesia Avenue, thence right on Artesia Avenue to Cherry Avenue, thence left on Cherry Avenue to Long Beach.

TOUR NO. 451

LOS ANGELES, HOLLYWOOD, BEVERLY HILLS, SANTA  
MONICA AND PALOS VERDES HILLS TOUR

Leaving downtown Long Beach, thence north on American Avenue to Anaheim Street, thence left on Anaheim Street to Avalon Boulevard, Wilmington, thence left on Avalon Boulevard to Eighth Street, thence right on Eighth Street to Main Street, thence left on Main Street to Ninth Street, San Pedro, thence right on Ninth Street to Palos Verdes Drive, thence right on Palos Verdes Drive to Highland Avenue, Redondo Beach, thence proceeding on Highland Avenue, Speedway and Ocean Avenue to Santa Monica, thence right on San Vicente to 26th Street, thence left on 26th Street to Sunset Boulevard, thence right on Sunset Boulevard through Beverly Hills to Laurel Canyon Road, thence left on Laurel Canyon Road to Hollywood Boulevard, thence right on Hollywood Boulevard to Vine Street, thence right on Vine Street to Sunset Boulevard, thence left on Sunset Boulevard to Gower Street, thence right on Gower Street to Melrose Avenue, thence left on Melrose Avenue to Beachwood Drive, thence right on Beachwood Drive to Second Street, thence left on Second Street to Windsor Boulevard, thence right on Windsor Boulevard to Fifth Street, thence left on Fifth Street to Norton Avenue, thence right on Norton Avenue to Wilshire Boulevard, thence left on Wilshire Boulevard to Park View, thence right on Park View to Seventh Street, thence left on Seventh Street to Main Street, thence right on Main Street to State Street, Wilmington, thence left on State Street to American Avenue and downtown Long Beach.

TOUR NO. 452

MOTION PICTURE STUDIO TOUR

Route tour from downtown Long Beach north on American Avenue to Anaheim Street, thence west on Anaheim Street to Figueroa Street, thence north on Figueroa Street to South Drive, Exposition Park; thence west on South Drive to Menlo; thence north on Menlo to North Drive; thence east on North Drive to Armory; thence turn left to Exposition Boulevard, thence left on Exposition Boulevard to University Avenue, thence right on University Avenue to Adams Street, thence left on Adams Street to Culver Boulevard, thence left on Culver Boulevard, circle M.G.M. Studios, proceed to Jasmine, thence left on Jasmine to Stilson, thence right on Stilson to Club Drive, thence left on Club Drive to Motor Avenue, thence right on Motor Avenue to Pico Boulevard, thence left on Pico Boulevard to Fox Hills Drive, thence right on Fox Hills Drive to Santa Monica Boulevard, thence right on Santa Monica Boulevard to Burton Way, thence left on Burton Way to Roxbury Drive, thence left on Roxbury Drive to Santa Monica Boulevard, thence right on Santa Monica Boulevard



to Alpine Drive, thence right on Alpine Drive to Third Street, thence left on Third Street to La Cienega Boulevard, thence left on La Cienega Boulevard to Beverly Boulevard, thence right on Beverly Boulevard to Las Palmas, thence left on Las Palmas to Fountain Avenue, thence right on Fountain Avenue to Seward Street, thence left on Seward Street to Sunset Boulevard, thence right on Sunset Boulevard to Wilcox Street, thence left on Wilcox Street to Cahuenga Boulevard, to Hollywood Bowl (Stop); thence south on Highland Avenue to Franklin Avenue, thence right on Franklin Avenue to Japanese Gardens (Stop); thence right on Franklin Avenue to Sierra Bonita Avenue, thence left on Sierra Bonita Avenue to Hollywood Boulevard, thence right on Hollywood Boulevard to Laurel Canyon Drive, thence right on Laurel Canyon Drive to Ventura Boulevard, thence right on Ventura Boulevard to Universal City (stop for luncheon); thence north on Lankershim Boulevard to Valley Springs Boulevard, thence right on Valley Springs Boulevard to Navajo Street, thence left on Navajo Street to Forman Street, thence left on Forman Street to Moorpark, thence right on Moorpark to Rowland Avenue, thence left on Rowland Avenue to Pass Avenue, thence right on Pass Avenue to Warner Bros. Studios (enter studios); from Warner Bros. Studios continue via Rowland to Riverside Drive, to Grand Central Airport, thence right on San Fernando Road to Forest Lawn Memorial Park, thence to Glendale Boulevard and downtown Los Angeles, thence south on San Pedro Street and Avalon Boulevard to Roha Street, thence East on Roha Street and Willow Street to American Avenue and downtown Long Beach.

TOUR NO. 453

SAN DIEGO TOUR

Tour leaves downtown Long Beach via alternate Coast Highway No. 101 to San Diego, returning via Coast Highway No. 101 to Tustin; thence via First Street and Bolsa Avenue to Seal Beach, thence via Ocean Avenue to downtown Long Beach.

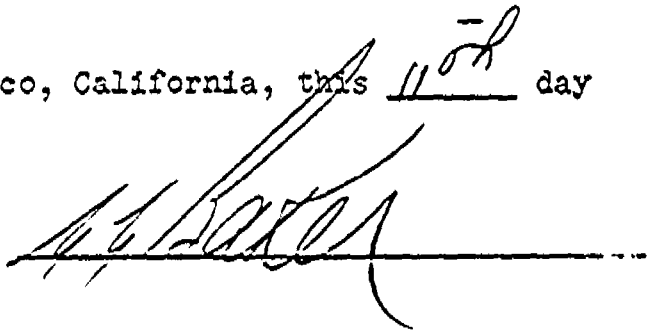
3. File, in triplicate, and concurrently make effective within a period of not to exceed sixty (60) days from the effective date of this order, on not less than five (5) days' notice to the Commission and the public, a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates, rules, and regulations which in volume and effect shall be identical with the rates, rules and regulations shown in the exhibit attached to Application No. 23883 in so far as they conform to the certificate herein granted, or rates, rules, and regulations satisfactory to the Railroad Commission.


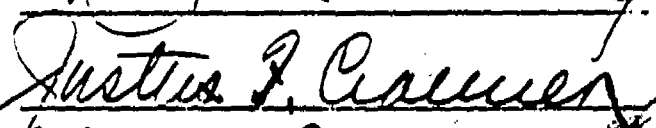
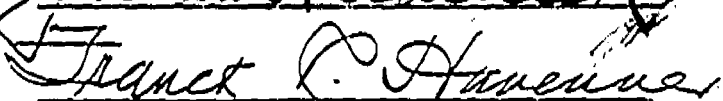
4. File, in triplicate, and make effective within a period of not to exceed sixty (60) days from the effective date of this order, on not less than five (5) days' notice to the Commission and the public, time schedules covering the service herein authorized in a form satisfactory to this Commission.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 11<sup>th</sup> day of March, 1941.



  
  
  
COMMISSIONERS