

Decision No. 38761

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CALIFORNIA PARLOR CAR TOURS COMPANY,)
a corporation, for a certificate of)
public convenience and necessity to)
operate two additional sightseeing)
motor tours, (1) from San Francisco)
to Eureka and return and, (2) from)
San Francisco to Lake Tahoe and)
return.)

ORIGINAL

Application No. 27184

O P I N I O N

By its application in this proceeding California Parlor Car Tours Company, a corporation, seeks a certificate of public convenience and necessity under Section 50 $\frac{1}{2}$, Public Utilities Act, authorizing the operation of sightseeing motor tours (a) from San Francisco to Eureka via Santa Rosa, returning via Lakeport and Napa; and (b) from San Francisco to Lake Tahoe via Sacramento and Placerville, returning via Auburn, with side trip to Cal-Neva. Each would be a three-day, all-expense paid tour.

Under certificates previously issued, applicant is authorized to conduct sightseeing tours over various routes, in this state. Pursuant to restrictions imposed by the federal Office of Defense Transportation, operation was suspended during the war, but with the termination of hostilities applicant plans the resumption of service.

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- (1) Applicant may operate sightseeing tours, generally, between San Francisco and Los Angeles, via the Coast route, with an extension to Los Angeles Harbor; between Del Monte and Merced, connecting there with Yosemite Park and Curry Co. for Yosemite Valley; and between Del Monte and San Luis Obispo, via Carmel.

Applicant is engaged, in part, in the operation of sight-seeing motor tours, designed to accommodate travelers and tourists who may desire leisurely to visit points of interest and to travel along attractive, scenic highways, in California. A substantial share of applicant's business is booked by tourist and travel agencies in other states, and elsewhere. Buses especially adapted for this purpose are used; when necessary, sedans or limousines are furnished. Applicant arranges for its patrons hotel accommodations and other conveniences, including meals and taxicab service, the cost of which is included in the total charge exacted.

The Redwood Empire Tour would extend from San Francisco to Eureka, across Golden Gate Bridge and through San Rafael, Petaluma, Santa Rosa, Ukiah and Benbow. Returning, this route would be retraced to Lake County Junction (approximately three miles north of Ukiah), thence through Upper Lake, Lakeport, Middletown, Calistoga, Napa, Shellville and Ignacio to San Francisco. Patrons would be accommodated over-night at Benbow or Hartsook Inn; additional meal stops would be made at Santa Rosa, Eureka and Calistoga.

The Lake Tahoe Tour would extend from San Francisco to Lake Tahoe over San Francisco-Oakland Bay Bridge and through Sacramento, Placerville, Meyers, Tahoe Valley Junction, Emerald Bay Junction, and Homewood to Tahoe Tavern, with a side trip to the Nevada state line at Cal-Neva. The return trip would be made via Auburn and Sacramento to San Francisco. Overnight accommodations would be furnished at Tahoe Tavern, and additional meals, at Sacramento.

Each of these tours would afford patrons an opportunity to see and visit points of scenic interest. The Redwood Empire Tour would traverse the Redwood Highway; the Lake County resort area, within which Clear Lake is situated; and the Napa Valley, well known as a wine producing territory. The Lake Tahoe Tour would cross the Sacramento Valley, passing through Sacramento, the state capital; would traverse the foothill placer mining territory and the Sierra-Nevada; and would border Lake Tahoe throughout its length.

The fare for the Redwood Empire Tour would aggregate \$60, of which \$32.50 would accrue to applicant for transportation charges and \$27.50 would cover lodging, meals, and taxicab fares at San Francisco. For the Lake Tahoe Tour the fare would be \$55, of which \$25 would be allocated to transportation charges, and the remaining \$30 to the expenses specified above. Under restrictions prescribed by the tariff, stopovers en route would be permitted. No intermediate point would be served.

The service contemplated, it appears, would not be competitive with that afforded by any other common carrier in the field. The Gray Line, Inc., which also is engaged in sight-seeing operations in Northern California, has advised the Commission that it has no objection to applicant's proposal.

The application will be granted. This is not a matter requiring a public hearing.

California Parlor Car Tours Company is hereby placed upon notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate-fixing for any amount of money in excess of that originally paid to the state as the consideration for the grant of such rights.

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

Application having been made as above entitled; and the Commission now finding that public convenience and necessity so require

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be and it hereby is granted to California Parlor Car Tours Company, a corporation, authorizing the establishment and operation of a service as a passenger stage corporation, as defined by Section 24, Public Utilities Act, for the transportation of passengers and baggage, limited to the operation of sightseeing service between the points hereinafter described, viz.:

- (1) Redwood Empire Tour - From San Francisco via Golden Gate Bridge, San Rafael, Petaluma, Santa Rosa, Ukiah, Willits and Benbow, to Eureka; returning from Eureka via Benbow, Willits, Lake County Junction, Upper Lake, Lakeport, Middletown, Calistoga, Napa, Shellville and Ignacio, to San Francisco.
- (2) Lake Tahoe Tour - From San Francisco via San Francisco Bay Bridge, Sacramento, Placerville, Tahoe Valley Junction, Emerald Bay Junction, and Homewood, to Tahoe Tavern, with side trip from Tahoe Tavern to Cal-Neva and return; returning from Tahoe Tavern via Tahoe Junction, Auburn and Sacramento to San Francisco.

(2) That in providing service pursuant to the certificate herein granted; applicant shall comply with and observe the following service regulations:

- a. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed 30 days from the effective date hereof.

- b. Applicant shall comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective, appropriate tariffs and time schedules within 60 days from the effective date hereof and on not less than 1 day's notice to the Commission and the public.
- c. Subject to the authority of this Commission to change or modify them by further order, applicant shall conduct operations pursuant to the certificate herein granted, over and along the following routes:

1. Redwood Empire Tour. From San Francisco via U. S. Highway No. 101 to Eureka. Returning from Eureka via U. S. Highway No. 101 to Lake County Junction, approximately three miles north of Ukiah; State Highway No. 20 to Upper Lake; State Highway No. 29 to Napa; State Highway No. 37 to Shellville; and U. S. Highway No. 101 to San Francisco.
2. Lake Tahoe Tour. From San Francisco via U. S. Highway No. 40 to Sacramento; U. S. Highway No. 50 to Tahoe Valley Junction; and State Highway No. 89 to Tahoe Tavern, with side trip to Cal-Neva, at Nevada State line, and return. Returning from Tahoe Tavern, via State Highway No. 89 to Tahoe Junction, on U. S. Highway No. 40; thence via U. S. Highway No. 40 to San Francisco.

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

Dated at San Francisco, California, this 12th
day of March, 1946.

Harold Hudson

Raymond L. Russell

Harold P. Hule
Commissioners