

Decision No. 38933**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Southland Motor Tours, Arthur H.)
Snyder, Owner, for certificate of)
public convenience and necessity to) Application No. 26912
operate sight-seeing tours and inci-)
dental passenger service between)
Los Angeles, California, and inter-)
mediate points and starting-return)
terminus (Los Angeles))

M. R. Stansell, for applicant; Tudor Gairdner, for
Tanner Motor Tours, Ltd. and Gray Line Motor Tours Co., pro-
testants; Florence E. Grim and Gaye A. Cheever, for Mac's
Auto Tours, protestant.

O P I N I O N

Arthur H. Snyder seeks a certificate of public con-
venience and necessity authorizing him to establish and operate
a sight-seeing service as a common carrier for the transporta-
tion of passengers over a circuitous route in Los Angeles and
Orange Counties with the City of Los Angeles as the terminus.

Public hearings were held before Examiner Chiesa on
November 14, 1945, and January 3, 1946, in Los Angeles. The
matter, originally submitted on November 14, was reopened at
request of applicant, to permit the taking of additional
evidence. The matter was resubmitted on January 3, 1946, and
is now ready for decision.

Applicant proposes to inaugurate one daily tour of approximately 150 miles, starting and terminating in Los Angeles, and including the cities of Beverly Hills, Santa Monica, Redondo Beach, San Pedro, Long Beach, Santa Ana, Pasadena, Glendale, and intermediate points of interest.

It is proposed to operate six days a week on a schedule leaving Los Angeles at 9 a.m. and returning at 5 p.m. The proposed fare for adults is \$4.50 and for children of five to twelve years of age \$2.25 would be charged. A commission to agents of \$1.00 for each adult fare sold is proposed. No tour will be made unless there is a minimum of four adult tickets sold. The only stop will be at Long Beach for lunch, except that brief rest stops will be made en route at such places as Knott's Berry Place and San Gabriel Mission. The tour is intended for persons desiring a general view of Los Angeles, nearby towns, and country. No local or intermediate service is proposed as passengers must originate at Los Angeles, pay for and make the complete trip.

Applicant states that he intends to purchase a suitable type bus (Crown Coach with Ford V-8 motor) of approximately 30-passenger capacity, and an additional stand-by unit for use in emergencies. He also proposes to hire a full-time experienced driver, use his present office facilities, and make such other arrangements for an extra driver, mechanical repairs, and terminal as may be necessary.

(1) Applicant is a hardwood floor contractor employing six persons, and proposes the establishment of this sight-seeing business as a part-time side line with an initial investment of approximately \$5,000. Exhibit No. 2 shows that applicant had a net tangible worth of \$16,925 as of October 19, 1945.

Applicant estimates that his daily gross income would be \$112.50 with daily expenses of \$53.00. It is apparent from the record that the amount of income is conjectural as there is no evidence in the record to support his expectation of twenty-five adult fares daily.

Protestants' witnesses testified that there is no public demand for this type of tour. Also, protestants contend that the proposed route is competitive with some tours now operated by them. The contention that applicant's tour would be competitive is not supported by the evidence. Applicant proposes an extensive circle tour and although protestants offer sight-seeing trips to several places on the proposed route, said trips are not similar or competitive; nor have protestants presented any evidence that either of them would suffer any loss of patronage as a result of applicant's proposed operation.

The evidence of record is insufficient to support a declaration that public convenience and necessity require the proposed operation. Only one witness testified that the proposed service would be "advantageous to the public", stating, however, that he was "not fully" familiar with the proposed route or sight-seeing service.

As the applicant has not made the requisite showing of public need, the application will be denied.

O R D E R

A public hearing having been held in the above-entitled proceeding, the matter having been submitted, and the Commission

being fully advised,

IT IS ORDERED as follows:

That Application No. 26912 of "Southland Motor Tours, Arthur H. Snyder, Owner", be, and it is hereby, denied.

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

Dated at San Francisco, California, this 7th day of May, 1946.

Harold Rudner
Justice F. Cassner
Francis D. ...
James L. ...
Harvest Hill
COMMISSIONERS