

ORIGINAL

Decision No. 38961

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
CALIFORNIA PARLOR CAR TOURS COMPANY, )	Application No. 27407
a corporation, to resume service )	
suspended during the war. <i>Tr.</i> )	

O P I N I O N

California Parlor Car Tours Company, a corporation, holds a certificate authorizing sightseeing motor tours between fixed termini and over regular routes. During the war the Office of Defense Transportation of the Federal Government issued an order prohibiting the operation of sightseeing busses. As a result of such order, applicant requested the Railroad Commission to authorize it to suspend its sightseeing operations. Pursuant to such application the Commission issued Decision No. 35975, dated November 23, 1942, authorizing applicant "to suspend, until further order of the Commission, all of its sightseeing service within the State of California."

The above entitled application states that applicant contemplates resuming all of its suspended service as rapidly as possible. It is stated, however, that due to the lack of suitable equipment and the lack of suitable hotel accommodations for its patrons, applicant cannot now resume all of its suspended service. It is, however, at this time able to resume the operation of one tour, namely the three day tour between San Francisco and Los Angeles which it desires to resume on June 1, 1946.

(1)  
It also requests that certain conditions of the certificate authorizing the tour between San Francisco and Los Angeles (Decision No. 23348, 35 C.R.C. 789, 792) be changed so that such tours may be operated in accordance with present transportation conditions. Applicant requests that the present conditions of the certificate as referred to be amended to read as follows:

"2. No stopover privileges shall be granted except at points where an overnight stopover is provided in the tour.

"3. Unless six or more adult tickets are presented for transportation on any scheduled trip, such trip may be cancelled, provided that this privilege shall not relieve the operator of the duty of furnishing necessary transportation to any stopover passengers, so they may continue the tour on the date for which reservations have been made."

As justification for the amendment of such conditions applicant states that stopover privileges should be regarded in the nature of tariff regulations rather than a condition attached to the operative right which would then enable applicant more effectively to meet changing transportation conditions affecting its operations. As an instance of such conditions, it is pointed out that the hotel at Del Monte was taken over by the Federal Government during the war and is not now available to the public, and such availability is uncertain at this time. The Inn at Atascadero has been destroyed by fire requiring applicant to arrange for accommodations for its patrons at Paso Robles.

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(1) The conditions of the certificate referred to read as follows:

"2. No stopover privileges shall be granted, except at Del Monte, Atascadero and Santa Barbara.

"3. Unless six or more passengers present themselves for transportation on any scheduled trip, such trip may be cancelled, provided that this privilege shall not relieve the operator of the duty of furnishing necessary transportation to any stopover passengers at Del Monte, Atascadero or Santa Barbara, in accordance with the tariff rules and regulations hereby approved."

After full consideration it appears that applicant's request is in the public interest and should be granted as provided in the following order. No public hearing appears to be necessary.

O R D E R

An application therefor having been filed and good cause appearing,

IT IS ORDERED as follows:

(1) That conditions 2 and 3 appearing at sheet 6 of Decision No. 23348, dated November 2, 1931, are hereby amended to read as follows:

- "2. No stopover privileges shall be granted except at points where an overnight stopover is provided in the tour.
- "3. Unless six or more adult tickets are presented for transportation on any scheduled trip, such trip may be cancelled, provided that this privilege shall not relieve the operator of the duty of furnishing necessary transportation to any stopover passengers so they may continue the tour on the date for which reservations have been made."

(2) That on June 1, 1946, applicant may resume operation of its three day tour between San Francisco and Los Angeles, as certificated by Decision No. 23348, in Application No. 17095, and orders amendatory thereof.

(3) That on not less than 1 day's notice to the Commission and the public, applicant shall file appropriate supplements to its tariffs and time tables reflecting the authority herein granted.

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

Dated at San Francisco, California, this 14<sup>th</sup> day of May, 1946.

Richard Anderson  
Justin J. Curran  
James P. Powell  
Harold P. Huls  
 COMMISSIONERS