

Decision No. 40536

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of CHARLES H. METZGER for certifi-
cate of public convenience and
necessity to operate passenger
vehicles for sightseeing service as
a common carrier, between original
terminal in the City of Santa Monica
and points of interest within and
without said city and return to
Santa Monica terminal.

ORIGINAL

Application No. 28380

French and Indovina, by F. Walter French, for applicant;
Tudor Gairdner, for Tanner Motor Tours and Tanner Motor Livery,
protestants.

O P I N I O N

Charles H. Metzger, an individual, doing business as Santa Monica Sightseeing Service, seeks a certificate of public convenience and necessity authorizing him to establish and operate a sightseeing service as a common carrier for the transportation of passengers over four specified routes in Los Angeles County, with the City of Santa Monica as the terminus.

Public hearings were held before Examiner Syphors on May 16, 1947, and May 27, 1947.

Applicant proposes to inaugurate four tours, each of between 40 and 50 miles in length, each originating and terminating in Santa Monica, and each covering various points in Los Angeles County. Specified routes, but not fixed schedules, are proposed. There will be no definite starting time for any tour, but rather it is proposed to run them whenever the demand warrants.

The fares set up are as follows: Tour No. 1, from Santa Monica to Westwood, Beverly Hills, Farmers' Market, and return, \$2.75; Tour No. 2, from Santa Monica to Beverly Hills and Hollywood, and return, \$3.00; Tour No. 3, from Santa Monica via Wilshire Boulevard, and return, \$3.25; and Tour No. 4, from Santa Monica via Wilshire Boulevard to Los Angeles, and return, \$5.25. Children under twelve years of age will be taken at half fare. The proposed fares will be increased by any taxes. Each tour will be routed through certain designated points of interest, and certain stops will be made. No local or intermediate service is proposed as passengers must originate at Santa Monica, pay for, and make the complete trip.

Applicant presently owns a 1938 Buick Sedan in which he proposes to haul seven passengers. This car is now being used in the conduct of sightseeing tours in the City of Santa Monica. Applicant testified he is financially able to obtain additional equipment and would do so if the business so warranted. He has made inquiries concerning the purchase of bus equipment but no definite arrangements in this regard have been effected. Applicant himself will drive and will hire additional drivers if and when the business so requires. His wife will handle the office.

Protestant, Tanner Motor Tours, does maintain a limousine service for sightseeing originating in Santa Monica, but the testimony indicated that the patrons of limousine service were those who could pay higher rates than usually charged for sightseeing tours by bus. Protestant also presented testimony showing that heretofore the bulk of the sightseeing business has originated in

Los Angeles. However, due to crowded conditions in Los Angeles, tourists are going out to the nearby towns and cities to find living accommodations. This has created an increased demand for bus sightseeing tours originating in the surrounding areas. Protestant is now in the process of applying for authority to extend its present bus sightseeing service to some of these surrounding areas, including Santa Monica.

Protestant objected to applicant's proposal on the grounds that applicant was not set up to operate a sightseeing service, and on the further grounds that applicant's proposed tours were not ones which would be of interest or be patronized by the public. In short, protestants' position is one of alleging a need for sightseeing service originating in Santa Monica, but further contending that applicant is not qualified to provide the service.

The evidence indicates applicant has had previous experience in the sightseeing business and at present he is conducting sightseeing tours within the City of Santa Monica. Applicant's testimony indicates a financial ability to conduct the proposed tours. Furthermore, applicant's proposal is to conduct four (4) specified tours. Extensive sightseeing operations are not contemplated.

Public witnesses testified as to the need for the proposed service. From this testimony we conclude there would be sufficient patronage for the limited tours applicant proposes.

The application will be granted.

O R D E R

Application as above-entitled having been filed, a public hearing having been held thereon, the matter having been submitted, the Commission being fully advised in the premises and hereby finding that public convenience and necessity so require,

IT IS HEREBY ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Charles H. Metzger authorizing the establishment and operation of an automotive sightseeing service for the transportation of passengers, as a passenger stage corporation, as such is defined in Section 2¹/₂ of the Public Utilities Act, to commence and terminate in the City of Santa Monica, consisting of four (4) tours numbered 1, 2, 3, and 4, respectively.

(2) That in providing service pursuant to the certificate herein granted, Charles H. Metzger 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 thirty (30) days from the effective date hereof.
- (b) Applicant shall, within sixty (60) days from the effective date hereof and upon not less than one (1) day's notice to the Commission and the public, establish the service herein authorized and comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-4 by filing, in triplicate, and concurrently making effective, tariffs and time schedules satisfactory to the Commission.
- (c) Subject to the authority of this Commission to change or modify such at any time, Charles H. Metzger shall conduct said passenger stage operation over and along the following described routes:

Tour No. 1

Commencing at the Carmel Hotel at Broadway and Second Street in Santa Monica, thence via Second Street, Main Street, Pico Boulevard, Ocean Avenue to its intersection with Bicknell Avenue, northerly on Ocean Avenue to Roosevelt Highway (U. S. 101), thence via Roosevelt Highway, Sunset Boulevard, Fairfax Avenue, Wilshire Boulevard, Roxbury Drive, Olympic Boulevard, Barrington Avenue, National Boulevard, Bundy Drive, Ocean Park Boulevard, Twenty-sixth Street, Pico Boulevard, Nineteenth Street, California Street, Third Street, Broadway to point of beginning. Service is authorized to all intermediate points and to the off-route points of the Municipal Pier in Santa Monica, Will Rogers Memorial near 14253 Sunset Boulevard, and Howard's Flowerland near National Boulevard and Barrington Avenue.

Tour No. 2

Commencing at the Carmel Hotel at Broadway and Second Street in Santa Monica, thence via Broadway, Ocean Avenue, San Vicente Boulevard, Wilshire Boulevard, Beverly Drive, Sunset Boulevard, Vine Street, Yucca Street, Argyle Avenue, Franklin Avenue, Western Avenue, Los Feliz Boulevard, Vermont Avenue to the Planetarium in Griffith Park, thence via Vermont Avenue, Los Feliz Boulevard, Western Avenue, Franklin Avenue, Argyle Avenue, Yucca Street, Cahuenga Boulevard, Highland Avenue, Hollywood Boulevard, La Brea, Santa Monica Boulevard, Wilshire Boulevard, Third Street in Santa Monica, Broadway to point of beginning. Service is authorized to all intermediate points and to the off-route point of the Hollywood Bowl.

Tour No. 3

Commencing at the Carmel Hotel at Broadway and Second Street in Santa Monica, thence via Broadway, Third Street, Wilshire Boulevard, Flower Street, Fifth Street, Los Angeles Street, Plaza, Alameda Street, Macy Street, Main Street, First Street, Hill Street, Sixth Street, Olive Street, Ninth Street, Figueroa Street, Exposition Park, Thirtyninth Street, Budlong Avenue, Exposition Boulevard, Rodeo Road, Jefferson Boulevard, Lincoln Boulevard, Rose Avenue, Speedway, Ocean Avenue, Pico Boulevard, Main Street, Third Street, Broadway, to point of beginning. Service is authorized to all intermediate points.

Tour No. 4

Commencing at the Carmel Hotel at Broadway and Second Street in Santa Monica, thence via Broadway, Third Street, Wilshire Boulevard, Flower Street, Fifth Street, Los Angeles Street, Plaza, Alameda Street, Macy Street, Mission Road, Broadway, Sixth Street, Olive Street, Ninth Street, Figueroa Street, Exposition Park, Thirty-ninth Street, Budlong Avenue, Exposition Boulevard, Rodeo Road, Jefferson Boulevard, Lincoln Boulevard, Rose Avenue, Speedway, Ocean Avenue, Pico Boulevard, Main Street, Third Street, Broadway to point of beginning. Service is authorized to all intermediate points and to the off-route point of the Fossil Pits in Hancock Park.

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

Dated at San Francisco, California, this 22nd day of July, 1947.

Harold Huls
Justus J. Cravens
Paul R. Russell
A. J. Dwyer

COMMISSIONERS