

**ORIGINAL**

Decision No. 6746S

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 CATALINA ISLAND SIGHTSEEING LINES, )  
 a California corporation, for )  
 authority to sell the S.S. CATALINA )  
 and certain motor cruisers and to )  
 enter into agreements to lease )  
 Avalon Pier; the Application of )  
 ISLAND BOAT SERVICE, a California )  
 corporation, for authority to )  
 transfer certain operating rights )  
 and permit for Berth 186, )  
 Wilmington; the Application of )  
 CATALINA TRANSPORTATION CO., a )  
 California corporation, for )  
 authority to issue and sell stock, )  
 to sign promissory note and to )  
 enter into a bareboat charter )  
 party agreement as to the )  
 S.S. CATALINA and certain other )  
 vessels; the Application of )  
 CATALINA MOTOR CRUISERS, INC., a )  
 California corporation, for )  
 authority to issue and sell stock, )  
 to purchase certain passenger )  
 operations from ISLAND BOAT )  
 SERVICE, and to establish rates. )

Application No. 46250

ORDER MODIFYING OPERATING AUTHORITY

Decision No. 67166 dated April 28, 1964, in the above-numbered application, authorized, amongst other things, Catalina Motor Cruisers, Inc., to acquire certain operative authority from Island Boat Service. Included in the authority so acquired is the right to transport persons and their baggage between Long Beach and Avalon, Santa Catalina Island, in nonscheduled, restricted service.<sup>1</sup>

<sup>1</sup> The term "restricted" is used as meaning that a minimum of 20 round-trip fares is required per trip.

On June 17 and 18, 1964, hearings were held before Examiner Abernathy at Los Angeles on Application No. 46623 whereby Avalon Navigation Company seeks authority to discontinue a daily, scheduled, common carrier service which it has been providing between Long Beach and Avalon during the period between June 15 and September 15 of each year. Evidence which was submitted by Catalina Motor Cruisers, Inc., (Cruisers) at said hearings shows that Cruisers is intending to operate a daily, scheduled service between Long Beach and Avalon in lieu of that formerly operated by Avalon Navigation Company. Cruisers proposes to provide said service on a trial basis only for the period ending with about September 15, 1964. According to testimony of Cruisers' president, operation for the trial period only is now proposed, inasmuch as Cruisers has been unable to arrive at a satisfactory arrangement with the City of Long Beach for dockage facilities for a longer period. Moreover, operations heretofore of Avalon Navigation Company out of Long Beach have resulted in heavy losses, and Cruisers is hesitant about committing itself to daily, scheduled service without a trial operation lest it unduly burden other services which it provides from Wilmington. Cruisers is of the opinion that its present operative authority is sufficient for the daily, scheduled service which it intends to provide.

The evidence in Application No. 46623 shows that public convenience and necessity do not require the operation between Long Beach and Avalon of a vessel as large as that of the Avalon Navigation Company. It shows, nevertheless, that there is continued need for a daily, scheduled service between Long Beach and Avalon. The service which Cruisers proposes to provide should be

authorized. We do not agree that Cruisers' present authority is sufficient for this purpose.

Inasmuch as the season of travel between Long Beach and Avalon is now at hand, time is of the essence. Cruisers will be granted authority to operate daily, scheduled service through the week end immediately preceding September 15. We find that such authority is required by public convenience and necessity.

Good cause appearing,

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Catalina Motor Cruisers, Inc., a corporation, authorizing it to operate as a common carrier by vessel, as defined in Sections 211(b) and 238 of the Public Utilities Code, between Long Beach and Avalon, in scheduled daily service for the transportation of persons and their baggage for the period from the effective date of this order through September 13, 1964. Fares and charges for said service shall be the same as those which Catalina Motor Cruisers, Inc., maintains and assesses for its nonscheduled, restricted service between Long Beach and Avalon.

2. In providing service pursuant to the certificate herein granted, Catalina Motor Cruisers, Inc., shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that it will be required, among other things, to file annual reports of its operations and to comply with and observe the insurance requirements of the Commission's General Order No. III-A. Failure to file such reports, in such form

and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 111-A, may result in a cancellation of the operating authority granted by this decision.

- (b) Within sixty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than two days after the effective date of this order on not less than two days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the service herein authorized.
- (d) The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 87 and 117.

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

Dated at San Francisco, California, this 30<sup>th</sup> day of JUNE, 1964.

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President

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Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.