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ORIGINAL

Decision No. 67481

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Tony Marquette (See)
Santa Barbara) for Certificate of)
Public Convenience and Necessity)
for Operation of Passenger Stage)
Corporation in and near Santa)
Barbara, California.)

Application No. 46599
(Filed April 29, 1964)

O P I N I O N

Applicant requests authorization to institute and conduct operations as a passenger stage corporation in and near Santa Barbara, California. He presently possesses no Commission authority to transport passengers within the State. One nine-passenger Volkswagen Microbus will be purchased and used in this service. Additional equipment will be leased as required. A round-trip fare of \$3.00 for adults and \$2.00 for children will be charged. A regularly scheduled sight-seeing trip of approximately fifteen miles to view the local points of interest will be offered once daily with additional schedules, on an on-call basis, whenever at least eight persons request the service.

Copies of the application were duly served upon all passenger stage corporations operating in this general area. No protests have been indicated. The traffic engineering staff has reviewed this application and recommends ex parte handling.

Based upon the record, the Commission finds that:

1. Applicant possesses the experience, equipment, personnel and financial resources to institute and maintain the proposed service.

2. Public convenience and necessity require that the application be granted as set forth in the ensuing order.

3. A public hearing is not necessary.

The Commission concludes that the application should be granted as set forth in the following order.

Applicant is hereby placed on 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, such rights extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Tony Marquette to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes set forth in Appendix A attached hereto and made a part hereof.

2. In providing service pursuant to the certificate herein granted, applicant 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 he will be required, among other things, to file annual reports of his operations and to comply with and observe the safety rules of the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98 and insurance requirements of the Commission's General Order No. 101-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 Orders Nos. 98 and 101-A, may result in a cancellation of the operating authority granted by this decision.

- (b) Within one hundred twenty 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 ten days after the effective date of this order on not less than ten 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. 79 and 98.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 7th day of JULY, 1964.

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

Fredrick B. Holcomb
President

George G. Traver
Commissioners

TONY MARQUETTE
doing business as
SEE SANTA BARBARA

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

Showing passenger stage operative rights, restrictions,
limitations, exceptions, and privileges applicable thereto.

All changes and amendments as authorized by the
Public Utilities Commission of the State of California will
be made as revised pages or added original pages.

Issued under authority of Decision No. 67481,
dated July 7, 1964, of the Public Utilities
Commission of the State of California, in Application
No. 46599.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS AND SPECIFICATIONS

Tony Marquette, doing business as See Santa Barbara, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport persons on passenger carrying vehicles in sightseeing service as a passenger stage corporation over the routes hereinafter described and subject to the following provisions and restrictions:

1. ROUND-TRIP TRANSPORTATION

Unless otherwise specifically provided herein, all transportation authorized in this section may be rendered in round-trip service only.

2. ON-CALL SERVICE

In addition to regularly scheduled service (and in lieu thereof during those periods when there is insufficient demand to support daily schedules), the carrier is authorized to describe by lawful tariffs that operation of the authorized tours will not be conducted for less than eight passengers.

Issued by California Public Utilities Commission.

Decision No. 67481, Application No. 46599.

SECTION 2. ROUTE DESCRIPTIONS

Subject to the authority of this Commission to change or modify such at any time, Tony Marquette, doing business as See Santa Barbara, shall conduct his passenger stage operations between the following points and over and along the following described route:

Commencing at the intersection of South Jameson Lane and Olive Mill Road in the City of Santa Barbara; thence along Olive Mill Road, Channel Drive, Cabrillo Boulevard, Leadbetter Drive, Loma Alta Drive, San Andres Street, Carrillo Street, State Street, De la Guerra Street, Santa Barbara Street, Los Olivos Street, Mission Canyon Road, Foothill Road, Mission Ridge Road, Alameda Padre Serra, Salinas Street, Eucalyptus Hill Road, Alston Road, Hot Springs Road, East Valley Road, San Ysidro Road, U. S. Highway 101 and South Jameson Lane to its intersection with Olive Mill Road.

Issued by California Public Utilities Commission.

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