

ORIGINALDecision No. 68026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of LARRY A. DOVER for a Certificate of Public Convenience and Necessity to operate a sightseeing service from Hollywood through Beverly Hills, Los Angeles and return to Hollywood.

Application No. 46830
(Filed July 21, 1964)

Vaughan, Bradlin, Robinson & Roemer, by
James H. Lyons, for applicant.
John L. Hughes, for Tanner Motor
Tours, Ltd.; R. W. Russell and K. D.
Walpert, for Los Angeles Department of
Public Utilities & Transportation,
interested parties.
Fred G. Ballenger, for the Commission
staff.

O P I N I O N

A public hearing was held in this matter on August 28, 1964, at Los Angeles before Examiner Chiesa.

Tanner Motors Tours, Ltd., a certificated "passenger stage corporation" rendering a sightseeing service had protested the application but changed its appearance to interested party after a stipulation was accepted limiting applicant's proposed service to the operation of limousines of not more than seven passengers.

Tanner Motor Tours, Ltd., the City of Los Angeles, and the Commission's staff offered no evidence. Applicant Larry A. Dover testified that the proposed sightseeing tour will be along

a regular route as described in the application, will take two hours and will be principally for tourists desiring to see the usual Hollywood and Beverly Hills points of interest; that he has operated similar for hire tours for several years and that there is a constant public demand for the service.

The proposed fares are \$3.70 for adults and \$1.85 for children six through eleven years of age. Round-trip fares only will be available and point of pickup and discharge will be at a place near the Chinese Theatre. Service will be operated Mondays through Fridays, May 30 through Labor Day of each year; weekend service is not in demand as visitors usually have friends or relatives that show them the sights.

The evidence and record show that public convenience and necessity require that the proposed sightseeing passenger stage operation be established and operated and we so find. The application will be granted as hereinafter provided.

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 granted to Larry A. Dover authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes more particularly 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 safety rules, or 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 13th day of OCTOBER, 1964.

Frederick B. Hallock
President

John E. Mitchell

George G. Grover

William W. Bennett

Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.

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. 68026
dated 92113 1964, of the Public Utilities Commission
of the State of California, on Application No. 46830.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS.

Larry A. Dover, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers for sightseeing purposes commencing at 6909 Hollywood Boulevard, through certain sections of the County of Los Angeles and the Cities of Los Angeles and Beverly Hills, and returning to 6909 Hollywood Boulevard, over and along the route hereinafter described, subject to the following conditions and restrictions:

- (a) When route descriptions are given in one direction they apply to operations in either direction unless otherwise indicated.
- (b) Service shall be limited to the transportation of round-trip passengers, originating at 6909 Hollywood Boulevard only.
- (c) Limousine type vehicles, not exceeding seven passenger capacity, exclusive of driver, shall be operated.
- (d) Service shall be operated on a regular scheduled basis, subject to a minimum of three adult passengers.

Issued by the California Public Utilities Commission.

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SECTION 2. ROUTE DESCRIPTION

Subject to the authority of this Commission to change or modify such at any time, Larry A. Dover shall conduct said sight-seeing passenger stage operations over and along the following described route:

Commencing at 6909 Hollywood Boulevard in the City of Los Angeles, thence along Hollywood Boulevard, La Brea Avenue, Sunset Boulevard, Maple Drive (City of Beverly Hills), Elevado Avenue, Elm Drive, Carmelita Avenue, Beverly Drive, Santa Monica Boulevard North and Manning Avenue (City of Los Angeles) to the east gate of the Temple of the Church of the Latter Day Saints, thence through the grounds of said Temple to Selby Avenue, thence along Selby Avenue, Le Conte Avenue and Westholme Avenue, through the grounds of the University of California at Los Angeles, thence along Hilgard Avenue, Sunset Boulevard, Mapleton Drive, Beverly Glen Boulevard, Bel Air Road, St. Cloud Road, Parkwood Drive, Faring Drive, Brooklawn Drive, Carolwood Drive, Sunset Boulevard, Roxbury Drive (City of Beverly Hills), Benedict Canyon Drive, Sunset Boulevard, Foothill Road, Doheny Road, Schuyler Road, Mountain Drive, Loma Vista Drive, Doheny Road, Sunset Boulevard, Laurel Canyon Boulevard and Hollywood Boulevard to point of beginning.

End of Appendix A

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