

ORIGINALDecision No. 70615

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:

BAY RAPID TRANSIT COMPANY

for a certificate of public convenience and necessity to operate as a passenger stage corporation and for authority to establish fares.

Application No. 48380
(Filed April 6, 1966)

O P I N I O N

Bay Rapid Transit Company, presently providing service as a passenger stage corporation in portions of Monterey County in addition to conducting sight-seeing operations, requests authority to provide a sight-seeing service between Monterey, Carmel, and Pfeiffer Big Sur State Park, a distance of 66 miles round trip.

Applicant proposes a daily service leaving Monterey at 8:30 A.M., arriving Big Sur at 10:00 A.M.; leaving Big Sur at 4:30 P.M. and arriving at Monterey at 6:00 P.M. The proposed fares are \$4.50 for adults and \$2.25 for children under 12 years of age. Service would be provided by two GMC sight-seeing coaches; one being a 1951, 41-passenger coach and the other a 1954, 45-passenger coach. As of December 31, 1965, applicant indicated a net worth in the amount of \$75,739.22.

It is alleged that Monterey and Carmel are great tourist attractions and Big Sur is an area of scenic beauty which is attracting more attention each year and that applicant has received many requests from members of the public, as well as from people who hold and manage conventions, for a service of this kind.

After consideration the Commission finds that public convenience and necessity require the granting of the application. A public hearing is not necessary.

Applicant requests that it be authorized to commence service by May 1, 1966; the order will, therefore, be made effective the date hereof.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Bay Rapid Transit Company, a corporation, authorizing the establishment and operation of service as a passenger stage corporation, as that term is defined in Section 226 of the Public Utilities Code, for the transportation of passengers between the points and over the routes set forth in Original Page 3 and Original Page 4 of Appendix A attached hereto.

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. Applicant is placed on notice that, if it accepts the certificate of public convenience and necessity herein granted, it will be required, among other things, 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-A and insurance requirements of the Commission's General Order No. 101-A. Failure to comply with and observe the safety rules, or the provisions of General Orders Nos. 98-A or 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 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. 79 and 98-A.
- (e) Applicant shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

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

Dated at San Francisco, California, this 26th

day of APRIL, 1966.

Fredrick B. Holmbeck
President

John E. Mitchell

George H. Hoover

Augusta

William C. Bennett
Commissioners

Bay Rapid Transit Company by the certificate of public convenience and necessity granted in the decision noted in the margin is authorized to establish and operate tours in sight-seeing service as a passenger stage corporation as that term is defined in Section 226 of the Public Utilities Code, for the transportation of passengers between the points and over the routes hereinafter set forth, subject to the conditions and restrictions herein.

General Conditions

1. Round-trip transportation.

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

2. Points of receipt and discharge.

Transportation authorized to commence and end in Monterey or Carmel includes the right to pick up and discharge passengers at such places as are convenient in Monterey and Carmel.

3. Operations in areas where specific routes not specified.

In all instances where the highway over which operations are authorized and to be conducted is not specified, the tour shall be conducted to, from and within the points, places and areas authorized to be viewed or visited over the most practicable and appropriate routes.

4. Minimum number of passengers

The carrier is authorized to prescribe by lawful tariff that scheduled operation of the authorized tours will not be conducted for less than fifteen passengers. There will be no applicable minimum on trips made Tuesdays, Thursdays and Saturdays between May 1 and October 31 of each year.

5. Days of Operation.

Operations, subject to condition 4 above, shall be conducted daily throughout the year.

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6. Special operations.

The term "special operations" as herein used shall mean transportation of groups of passengers pursuant to a common purpose when the fares or charges for such transportation are computed or assessed upon an individual fare basis. Authority is granted to the carrier to conduct special operations over the authorized tour itineraries or any combination thereof subject to the following conditions:

(a) The carrier shall file and publish tariffs in which shall be set forth the fares and charges to be assessed and collected, or the basis for the computation of the same, together with the rules and regulations which govern the application of the same. Such tariffs may provide for non-scheduled special operations to be conducted on demand and on specified advance notice, for the advance payment of a minimum of adult fares as a condition precedent to the performance of the transportation, and for exclusive occupancy of the vehicle by the group to be transported.

(b) Special operations may not be conducted over tour itineraries for which operative authority has not been specifically granted, provided that when the point of origin and/or destination of a group moving in special operations shall be at a hotel, resort, common carrier terminal, or other common point of origin or destination within a municipality traversed by authorized tour itineraries, the company is authorized to pick up and/or discharge such group of passengers at such common point when the same is incidental to the special operations movement over authorized tour itineraries.

Monterey - Big Sur Route

From Monterey, thence to Carmel via Highway No. 1, through Carmel, and thence via Highway No. 1 to Pfeiffer Big Sur State Park. The return shall be the same in reverse.

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