

**ORIGINAL**

Decision No. 73113

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CATALINA ISLAND )  
SIGHTSEEING LINES to sell the )  
motor vessels CABRILLO and TORQUA )  
and of ISLAND BOAT SERVICE to )  
purchase the motor vessel CABRILLO )

Application No. 49632  
Filed August 25, 1967

O P I N I O N

This is an application for an order of the Commission

(a) authorizing Catalina Island Sightseeing Lines to sell the motor vessel Cabrillo to Island Boat Service, and (b) declaring that the motor vessel Torqua is not used or useful in public utility service.

By Decision No. 62336, dated July 25, 1961, in Application No. 41310, the Commission authorized Catalina Island Sightseeing Lines to lease to Island Boat Service certain motor vessels, including the Cabrillo and Torqua. Subsequently, by Decision No. 67502, dated July 14, 1964, in Application No. 46712, the Commission authorized Catalina Island Sightseeing Lines to lease the motor vessel Cabrillo to Catalina Motor Cruisers, Inc. Upon granting the latter authority the Commission specifically ordered the public utility dedicated status of the motor vessel Cabrillo to continue.

According to records of the Commission, Catalina Island Sightseeing Lines formerly operated as a common carrier by vessel, but it ceased to function as a public utility upon transferring its remaining common carrier operations to Catalina Freight Line pursuant to authority granted by Decision No. 71168, dated August 23, 1966, in Application No. 48653.

The application shows that the proposed transfer will not affect the public utility dedicated status of the motor vessel Cabrillo, and that for the past several years the motor vessel Torqua has been used for business promotion purposes exclusively.

We have considered this matter and find that:

(1) Catalina Island Sightseeing Lines does not possess any public utility operating rights subject to the jurisdiction of this Commission; (2) the motor vessel Cabrillo will retain its public utility dedicated status, notwithstanding the proposed transfer of ownership; and (3) the Commission has imposed no requirement for retention of public utility dedicated status upon the motor vessel Torqua. On the basis of these findings we conclude that the application should be dismissed for lack of jurisdiction.

A public hearing is not necessary.

ORDER

IT IS ORDERED that Application No. 49632 is hereby  
dismissed.

The effective date of this order is the date hereof.

Dated at San Francisco, California,  
this 26<sup>th</sup> day of SEPTEMBER, 1967.

[Signature]  
President

[Signature]

[Signature]

[Signature]  
Commissioners

Commissioner A. W. Gatov, being  
necessarily absent, did not participate  
in the disposition of this proceeding.