

Decision No. 79272 1

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of California Sightseeing
Tours, Inc. for Authority to Extend
Service Between the Los Angeles
Harbor Area, San Pedro and Wilming-
ton on the one hand and Magic
Mountain in Valencia on the other
hand.

Application No. 52338
(Filed December 4, 1970)

O P I N I O N

This is an application by California Sightseeing Tours, Inc. for authority to provide sightseeing service between the Los Angeles Harbor and an amusement area known as Magic Mountain.

Applicant presently operates sightseeing tours from the Los Angeles Harbor pursuant to a certificate of public convenience and necessity granted by Decision No. 76608. The service is for in-transit passengers aboard ships visiting the harbor.

The verified application avers that Magic Mountain is located in Valencia, California, approximately 57 miles from the Los Angeles Harbor; that Magic Mountain possesses tourist appeal; that it is estimated that 4.1 million persons will visit Magic Mountain by 1980; and that applicant desires to offer a tour to Magic Mountain along with its other tours. Applicant proposes a tour with a duration of 6 to 8 hours. The fare, which does not include admission to Magic Mountain, would be \$10 for adults and \$7.50 for children under 12 years of age. The service would be limited to transportation of round trip passengers from the Los Angeles Harbor and would be scheduled to operate in conjunction with steamship arrivals. It would be subject to a minimum of 10 adult passengers.

Copies of the application were served on the City of Los Angeles, County of Los Angeles, Magic Mountain, The Gray Line Tours Company, Southern California Rapid Transit District, Knickerbocker Tours, Inc. and Greyhound Lines. No protests to the application have been received. The Commission makes the following findings and conclusion.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Applicant has the ability, including financial ability, to conduct the operations for which authority is sought herein.
3. Public convenience and necessity require that applicant be authorized to provide sightseeing service from the Los Angeles Harbor to Magic Mountain.

Conclusion of Law

The application should be granted.

California Sightseeing Tours, Inc. 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 California Sightseeing Tours, Inc., a corporation, authorizing it to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes 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. Failure so to do may result in a cancellation of the operating authority granted by this decision.

- (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-C.
- (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-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.

3. Appendix A of Decision No. 76608, as heretofore amended, is further amended by incorporating Original Page 11a, which page is attached hereto as Appendix A.

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

Dated at San Francisco, California, this 27th day of OCTOBER, 1971.

[Signature]
Chairman
[Signature]
[Signature]
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

*TOUR NO. 118 MAGIC MOUNTAIN

Commencing at the Los Angeles Harbor, in San Pedro or Wilmington, thence via the most appropriate route or routes to the Harbor Freeway northbound. Continue San Diego Freeway, Golden State Freeway, Interstate Highway 5, to Henry Mayo Drive near Valencia, thence to Magic Mountain entrance.

Alternate Route:

Commencing at the Los Angeles Harbor, in San Pedro or Wilmington, thence via the most appropriate route or routes to the Harbor Freeway northbound. Continue Hollywood Freeway, west on Hollywood Blvd., north on Highland Avenue, continue Hollywood Freeway northbound, continue Golden State Freeway, Interstate Highway 5, to Henry Mayo Drive near Valencia, thence to Magic Mountain entrance.

Issued by California Public Utilities Commission.

*Added by Decision No. 79272, Application No. 52338.