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ORIGINAL

Decision No. 79273

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE GRAY LINE, INC., )  
for a certificate of public con- )  
venience and necessity to extend )  
tour service, adding a prescribed )  
round-trip Tour No. 1.23a, Gold )  
Country Tour, from San Francisco )  
to Columbia; and for incidental )  
relief including the establishing )  
of fare. )

Application No. 52557  
(Filed April 15, 1971)

O P I N I O N

This is an application by The Gray Line, Inc., seeking authority to extend its sightseeing tour service and provide a tour from San Francisco which emphasizes Columbia.

Applicant holds a certificate of public convenience and necessity granted in Decision No. 66515, authorizing it to operate as a passenger stage corporation to provide various sightseeing tours. Applicant is presently authorized to conduct a Motherlode Tour. The tour is an overnight one which passes through Columbia. Applicant seeks herein authority to operate a Gold Country Tour which would focus on Columbia. The tour could be operated on a one-day or overnight basis. The route of the proposed Gold Country Tour from San Francisco to Columbia would be different than that of the Motherlode Tour. The return routes from Columbia would be the same.

The verified application indicates that applicant proposes to establish an adult fare of \$14.50 per person for a one-day Gold Country Tour, that it has the ability to conduct the proposed operations and it avers that the granting thereof will not have a detrimental effect on competing carriers.

The record indicates that copies of the application were served on the Counties of San Francisco, Alameda, Contra Costa, Sacramento, San Joaquin, Tuolumne, Amador and Calaveras. 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. Public convenience and necessity require that applicant be authorized to conduct its proposed Gold Country Tour from San Francisco to Columbia.
3. Applicant has the ability, including financial ability, to conduct the operations for which authority is sought herein.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to The Gray Line, Inc., a corporation, authorizing it to operate as a passenger stage corporation for sightseeing purposes, 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.

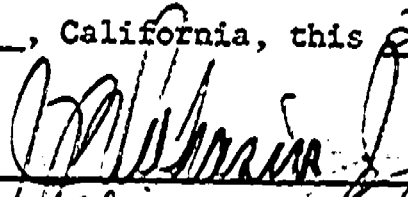
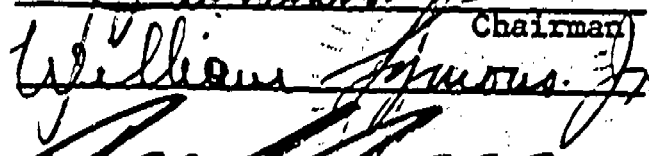

- (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than ten days after the 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.

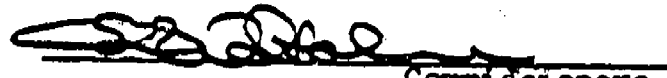
3. The Gray Line, Inc., is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of 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.

4. Appendix A of Decision No. 66165 is amended by incorporating therein Original Page 10-A, which 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.

  
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Chairman  
  
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Commissioners

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

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Appendix A  
(Dec. 66165)

THE GRAY LINE, INC.

\*Original Page 10-A

\*1.23a - GOLD COUNTRY TOUR

Leave the carrier's San Francisco terminal over San Francisco-Oakland Bay Bridge to Walnut Creek, Concord, Antioch, Rio Vista, Jackson, Mokelumne Hill, San Andreas, and Angels Camp to Columbia, returning via Sonora, Jamestown, Oakdale, Tracy and the San Francisco-Oakland Bay Bridge to carrier's San Francisco terminal.

Operation of the foregoing tour is subject to a minimum requirement of 12 passengers.

Issued by California Public Utilities Commission.

\*Added by Decision No. 79273, Application No. 52557.