

Decision No. 79602

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Orange Coast Sightseeing Company, a)
corporation, for a Certificate of)
Public Convenience and Necessity to)
institute a half-day tour originat-)
ing at points in Orange County to)
Lion Country Safari, Orange County,)
California.)

Application No. 52941
(Filed October 20, 1971)

And Related Matter Involving)
Queen Mary, Long Beach.)

Application No. 52942
(Filed October 20, 1971)

O R D E R

By these applications, Orange Coast Sightseeing Company (Orange County) seeks a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation in sightseeing service between the Anaheim-Buena Park Area, on the one hand and the Lion Country Safari in Orange County, and the Queen Mary in Long Beach, on the other hand.

With respect to the Lion Country Safari Tour, applicant alleges that it now serves a number of points of interest in the general area of Lion Country Safari; that Lion Country Safari has grown to a point where it has become an independent attraction and that applicant has had requests to serve it on that basis.

With respect to Queen Mary, Orange County alleges that it has a sightseeing tour which originates in the Anaheim-Buena Park Area and proceeds through Long Beach to Marineland; that the Queen Mary was opened for daily visitors this past summer although all the work planned on the Queen Mary was not completed; and that with the completion of additional work scheduled by the end of 1971 the Queen Mary will be capable of handling about 25,000 visitors a day. Applicant further alleges that it has had requests from visitors for tours to the Queen Mary and that there exists a substantial need for the service proposed.

The applications were listed on the Commission's Calendar of October 22, 1971. Interested parties have been notified of the filing of these applications. No protests to their granting have been received.

Orange Coast Sightseeing Company 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.

The Commission finds that public convenience and necessity require the granting to Orange Coast Sightseeing Company a certificate to operate as a passenger stage corporation as defined in Section 226 of the Public Utilities Code. Based upon the foregoing findings of fact, the Commission concludes that the applications of Orange Coast Sightseeing Company for a Certificate of Public Convenience and Necessity should be granted.

IT IS ORDERED that:

A Certificate of Public Convenience and Necessity is granted to Orange Coast Sightseeing Company, authorizing it to operate as a passenger stage corporation as defined in Section 226 of the Public Utilities Code, between Anaheim-Buena Park Area and Lion Country Safari in Orange County and between Anaheim-Buena Park Area and the Queen Mary in Long Beach and over the routes more particularly set forth in First Revised Page 5 of Appendix A, attached hereto and made a part hereof.

In providing service pursuant to the certificate herein granted, applicant, the Orange Coast Sightseeing Company, shall comply with and observe the following service regulations. Failure

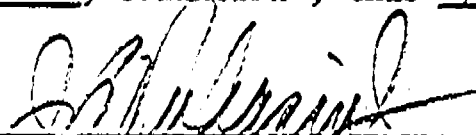
to do so may result in a cancellation of the operating authority granted by this decision.

- (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 the effective date of this order and shall be concurrent with the establishment of 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.


A. 52941, A. 52942 - HK

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


Dated at San Francisco, California, this 17th day of JANUARY, 1972.



Chairman



Commissioner



Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

HK
Appendix A
(Dec. 76527)

ORANGE COAST SIGHTSEEING COMPANY
(a corporation)

First Revised Page 5
Cancels
Original Page 5

SECTION 3. ROUTE DESCRIPTIONS

Tour No. 3

Commencing in the Buena Park-Anaheim Service Areas via city streets to the Santa Ana, Golden State and Ventura Freeways to Buena Vista Street, Alameda Avenue, to NBC Television Studio, 3000 West Alameda Avenue, Burbank, thence via Alameda Avenue, Riverside Drive, Moorpark Way, Moorpark Street, Cahuenga Boulevard and Lankershim Boulevard to Universal City Studios, thence returning to the service areas (points of beginning) via Lankershim Boulevard, Hollywood and Santa Ana Freeways.

* Tour No. 4 - Queen Mary

Commencing in the Buena Park-Anaheim Service Area, thence by city streets to the Garden Grove Freeway (State Highway 22), San Diego Freeway (Interstate 405), Long Beach Freeway (State Highway 7) to the Queen Mary located at Pier J in the City of Long Beach, and return via the reverse of the above route.

* Tour No. 5 - Lion Country Safari - Half-day Tour

Commencing in the Buena Park-Anaheim Service Area, thence Katella Avenue to the Santa Ana Freeway (Interstate 5), Laguna Canyon Freeway (State Highway 133), San Diego Freeway (Interstate 405) to Lion Country Safari, and return by reverse of the above route.

Issued by California Public Utilities Commission.

*Added by Decision No. 79602, Applications Nos. 52941 and 52942.