

Decision No. 73603

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE GRAY LINE TOURS)
COMPANY for authority to provide)
sightseeing service between points)
within the corporate limits of the)
Cities of Los Angeles, Beverly Hills,)
Santa Monica, Glendale, Pasadena and)
Long Beach, and the Queen Mary in)
Long Beach.)

Application No. 52995
(Filed November 12, 1971)

Application of THE GRAY LINE TOURS)
COMPANY for authority to provide)
sightseeing service between points)
within Anaheim and Buena Park)
service areas and the Queen Mary in)
Long Beach.)

Application No. 52996
(Filed November 12, 1971)

O R D E R

By these applications, The Gray Line Tours Company seeks a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation in sightseeing service between the Cities of Los Angeles, Beverly Hills, Santa Monica, Glendale, Pasadena, Long Beach, and the service areas of Anaheim and Buena Park, on the one hand, and the Queen Mary in Long Beach, on the other hand. The applicant alleges that the Queen Mary has recently opened for tourist visits, and that operation of a tour to the Queen Mary will be an interesting, entertaining tour allowing the public visiting this area to visit the Queen Mary in a convenient and economical manner.

Applicant further alleges that there is no other passenger stage operator or common carrier now rendering service comparable to that proposed in these applications.

The applications were listed on the Commission's Calendar of November 15, 1971. Interested parties have been notified of the filing of these applications.

A. 52995, A. 52996 - HK*

A protest was received from the Long Beach Public Transportation Company, which objects to Gray Line Tours Company operating sightseeing service from any point within the Long Beach Company's service area to the Queen Mary. In reply to this protest, applicant has agreed to delete from the application any authority to pick up in the City of Long Beach. ✓

The Gray Line Tours 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 The Gray Line Tours 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 The Gray Line Tours Company for a Certificate of Public Convenience and Necessity should be granted. It is further concluded that the authority herein granted is without prejudice to any decision the Commission may issue in Applications Nos. 49177, 49980 and 50434, which are now under submission and which involve a full review of applicant's certificates of public convenience and necessity.

IT IS ORDERED that:

A Certificate of Public Convenience and Necessity is granted to The Gray Line Tours Company, 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.

In providing service pursuant to the certificate herein granted, applicant, The Gray Line Tours 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.


The authority herein granted is without prejudice to any other or different conclusion the Commission may reach with respect to applicant's operating authority now under consideration in Applications Nos. 49177, 49980 and 50434.


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

Dated at San Francisco, California, this 18th
day of JANUARY, 1972.



Chairman




Commissioners

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

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

Showing passenger stage operative rights, restrictions,
limitations, exceptions, and privileges applicable thereto.

All changes and amendments as authorized by the Public Utilities
Commission of the State of California will be made as revised pages
or added original pages.

GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS

The Gray Line Tours Company, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to transport passengers for sightseeing service from the points hereinafter set forth to the Queen Mary in Long Beach, with return to the point of origin. Said points are as follows:

Anaheim (Disneyland) Service Territory, includes all that area in Orange County, California, located within the following boundary: Beginning at the intersection of Ball Road and Euclid Avenue, thence along Euclid Avenue to the Santa Ana Freeway; southeasterly along the Santa Ana Freeway to Katella Avenue; westerly along Katella Avenue to Harbor Boulevard; southerly along Harbor Boulevard to Orangewood Avenue; westerly along Orangewood Avenue to Euclid Avenue, northerly along Euclid Avenue to the point of beginning.

Beverly Hills, which is described as the territory delineated and bounded by the city limits of the City of Beverly Hills.

Buena Park (Knott's Berry Farm) Service Territory, includes all that area in Orange County, California, located within the following boundary: Beginning at the intersection of Knotts Avenue and Houston Avenue; then easterly along Houston Avenue to Dale Avenue; southerly along Dale Avenue to Lincoln Avenue (State Highway No. 18); westerly along Lincoln Avenue to Knotts Avenue; northerly along Knotts Avenue to point of beginning.

Glendale, which is described as the territory delineated and bounded by the city limits of the City of Glendale.

Pasadena, which is described as the territory delineated and bounded by the city limits of the City of Pasadena.

Issued by California Public Utilities Commission.

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GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS
(Cont.)

Santa Monica, which is described as the territory delineated and bounded by the city limits of the City of Santa Monica.

That portion of the City of Los Angeles, which is described as the territory delineated and bounded by the city limits of the City of Los Angeles except the areas west of California State Highway No. 27; north of California Highway No. 118 between California Highway No. 27 and Zelzah Street; west of Zelzah Street between California Highway No. 118 and Rinaldi Street, north of Rinaldi Street between Zelzah Street and U. S. Highway No. 405; west of U. S. Highway No. 405 between Rinaldi Street and Foothill Boulevard, north of Foothill Boulevard and except that portion of the City of Los Angeles south of Imperial Highway.

This certificate is subject to the following conditions and restrictions:

- a. The authority granted herein does not confer any route authority and does not confer upon The Gray Line Company any pickup or sightseeing authority not specifically herein granted or authorized by other decisions of the Commission.
- b. In providing service pursuant to the certificate herein granted, The Gray Line Tours Company may transport passengers from the original point of pickup to The Gray Line Tours Company's Los Angeles Terminal, there to be combined with passengers from other authorized points of pickup for loading of a tour bus.

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- c. In the event The Gray Line Tours Company establishes a ✓
tour from the points herein authorized to the Queen Mary
and such attraction is closed on a particular day, it may
substitute another point of interest which it is author-
ized to serve at the basic transportation rate authorized
in Appendix B plus any additional admission charges;
provided, however, that The Gray Line Tours Company shall
offer to cancel the ticket and refund the full price
thereof to any ticketholder who was sold a ticket indicat-
ing that he would be given a tour to the Queen Mary and
who does not consent to a substituted alternative for
either point.
- d. The certificate granted herein is subject to revision, ✓
change or modification by subsequent order in Application
No. 51941 or in decisions and orders relating to Appli-
cations Nos. 49177, 49980 and 50424.