

Decision No. 79798**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of STUDIO TRANSPORTATION, INC., a
California corporation, dba GOLDEN
STATE CHARTER BUS LINES, to sell
and PALM SPRINGS SIGHTSEEING AND
CHARTER COMPANY, INC., a California
corporation, to purchase a certifi-
cate of public convenience and
necessity and other assets and
equipment.

Application No. 53028
(Filed November 24, 1971)

O P I N I O N

This is an application by Studio Transportation, Inc., doing business under the name of Golden State Charter Bus Lines (hereinafter referred to as Studio) and Palm Springs Sightseeing and Charter Company, Inc. (hereinafter referred to as Palm Springs) in which Studio seeks authority to transfer to Palm Springs its certificate of public convenience and necessity to operate as a passenger stage corporation, its operating equipment, and various property and contract rights.

Studio presently holds authority to operate as a passenger stage corporation between Huntington Beach and various points in the Los Angeles area. The verified application indicates that the parties have entered into an agreement whereby Studio will sell to Palm Springs for \$633,750 all of its assets, equipment, licenses, contracts and contract rights which include the following: 1. The aforesaid operating rights. 2. Thirty-nine busses. 3. Spare parts and supplementary equipment used in connection with said busses. 4. Various licenses and permits held in connection with said busses. 5. Contracts and contract rights involving the providing of bus service to the Los Angeles Unified School District, La Canada Unified School District, and the State of California. 6. Contract rights to

use the facilities of the Southern California Rapid Transit District.
7. The firm name of Golden State Charter Bus Lines. The sales price will be paid in cash within 90 days after authority to consummate the transfer is granted.

Palm Springs presently holds a Class A charter-party certificate issued by this Commission. It had operating equipment with a net book value of \$1,077,390 as of September 30, 1971. Palm Springs had gross revenues of \$745,381 and a net profit of \$53,170 for the period from December 1, 1970 to September 30, 1971.

Copies of the application were served upon the Counties of Los Angeles and Orange, California Sightseeing Tours, Inc. and Astronautics Facility. No protests to the application have been received by the Commission.

The Commission makes the following findings and conclusions:

Findings of Fact

1. A public hearing is not necessary in this matter.
2. The transfer of Studio's certificate of public convenience and necessity and the property referred to in the application would not be adverse to the public interest.
3. Palm Springs has the ability, including financial ability, to conduct operations under said certificate.
4. To avoid confusion among the public and assist the Commission in the performance of its regulatory functions, the operating rights herein transferred should be restated in appendix form.

Conclusions of Law

1. Studio should be authorized to sell and transfer and Palm Springs to purchase and acquire the certificate of public convenience and necessity and property referred to in the application.
2. The certificate herein authorized to be transferred should be restated in appendix form.

Palm Springs Sightseeing and Charter Company, 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. On or before December 31, 1972, Studio Transportation, Inc., may sell and transfer, and Palm Springs Sightseeing and Charter Company, Inc., may purchase and acquire the operating rights set forth in Appendix A, attached hereto, and the property described in the application.

2. Within thirty days after the consummation of the transfer herein authorized, purchaser shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. Purchaser shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations herein to show that it has adopted or established, as its own, said rates and rules. The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order or 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 consummation of the transfer herein authorized.

The tariff and timetable filings made pursuant to this order shall comply in all respects 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. Failure to comply with and observe the provisions of General Orders Nos. 79 and 98-A may result in a cancellation of the operating authority granted by this decision.

4. On or before the end of the third month after the consummation of the transfer as herein authorized, purchaser shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the seller for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. Within thirty days after the transfer herein authorized is consummated, purchaser shall file a written acceptance of the certificate. Purchaser is placed on notice that, if it accepts such certificate, 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.

6. Purchaser 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.

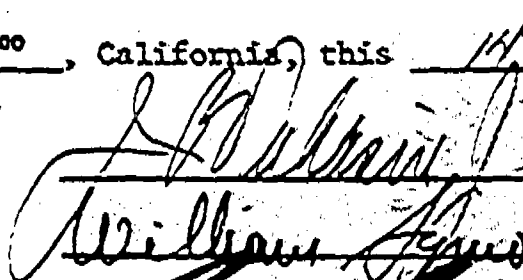
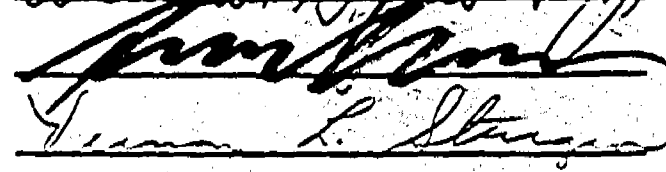
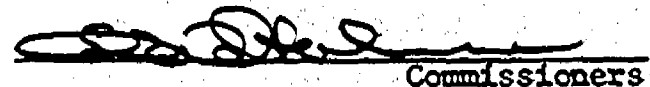
7. In the event the transfer authorized in paragraph 1 hereof is consummated, the operating rights set forth in Appendix A hereto and made a part hereof are issued in lieu of and will supersede the rights of Studio Transportation, Inc., set forth in Appendix B of Decision No. 78285, which are hereby revoked and

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cancelled, said revocation to become effective concurrently with the effective date of the tariff filings required by paragraph 3 hereof.

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

Dated at San Francisco, California, this 14th day of MARCH, 1972.


Chairman

James L. Stanger

Commissioners

Appendix A

PALM SPRINGS SIGHTSEEING AND
CHARTER COMPANY, INC.
doing business as
Golden State Charter Bus Lines

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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.

Issued under authority of Decision No. **79798**
dated MAR 14 1972, of the Public Utilities
Commission of the State of California, on Application
No. 53028.

Appendix A

PALM SPRINGS SIGHTSEEING AND
CHARTER COMPANY, INC.
doing business as
Golden State Charter Bus Lines

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PALM SPRINGS SIGHTSEEING AND
CHARTER COMPANY, INC.
doing business as
Golden State Charter Bus Lines

Section 1. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS.

Palm Springs Sightseeing and Charter Company, Inc., doing business as Golden State Charter Bus Lines is authorized to conduct a passenger stage service for the transportation of passengers between certain service points as hereinafter set forth, on the one hand, and Huntington Beach points in Orange County, on the other hand, over and along the routes hereinafter described, subject to the following conditions and restrictions:

- a. Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections in accordance with local traffic regulations.
- b. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated. At points where applicant is authorized to pick up passengers in one direction, authority is also granted to discharge passengers from buses traveling in the opposite direction.
- c. All service herein authorized shall be limited to the transportation of round-trip passengers only.
- d. Applicant shall not pick up or discharge passengers except within the limits of the specified service points as hereinafter set forth or within the point in the City of Huntington Beach. This restriction shall not prevent stopovers for the purpose of permitting passengers to attend their places of employment located within Huntington Beach, Culver City and Santa Monica.
- e. Applicant shall not be obligated to perform said passenger stage service for fewer than ten adult passengers.
- f. Applicant shall not establish through routes and joint rates or charges as to the separate authorities hereinafter set forth.

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Section 2. ROUTE DESCRIPTIONS.

Route 1. Between West Los Angeles - Culver City -
Westchester Area and Huntington Beach Area:

Commencing and picking up passengers at Eighth Street and Mariposa Avenue, Los Angeles; thence along Eighth Street, Western Avenue, Third Street to Hauser Boulevard where passengers are to be picked up; thence on Third Street and Ogden Drive to Colgate Avenue where passengers are to be picked up; thence along Colgate Avenue west to Crescent Heights Boulevard where passengers are to be picked up; thence south on Crescent Heights Boulevard to Olympic Boulevard where passengers are to be picked up; thence west on Olympic Boulevard to Shenandoah Street; pick up passengers at Shenandoah Street and continue west on Olympic to La Peer Drive where passengers are to be picked up; thence continuing west on Olympic to Beverwil Drive; thence south on Beverwil Drive to Pico Boulevard where passengers are to be picked up; thence west on Pico Boulevard to Patricia Avenue, where passengers are to be picked up; thence south on Patricia to Troon Avenue where passengers are to be picked up; thence south on Troon Avenue, Butterfield Road, Northvale Road, and Overland Avenue to National Boulevard where passengers are to be picked up; thence on Overland, Santa Monica Freeway, San Diego Freeway, La Tijera Boulevard, 74th Street to Osage Avenue, thence north on Osage to La Tijera where passengers are to be picked up; thence on the San Diego Freeway to Springdale Street, Huntington Beach, and thence on Springdale Street, Bolsa Avenue to McDonnell Douglas plant at 5301 Bolsa Avenue in Huntington Beach.

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Section 2. ROUTE DESCRIPTIONS--Contd.

Route 2. Hermosa - Redondo Beach - Palos Verdes Area

Commencing at and picking up passengers at the intersection of Pacific Coast Highway and Artesia Boulevard, Hermosa Beach; thence on Pacific Coast Highway, picking up passengers at Pier Avenue, Anita Street, Beryl Street, Pacific Avenue, Avenue G, Calle Mayor, Hawthorne Boulevard, Nugent Street, Crenshaw Boulevard, Narbonne Avenue and Western Avenue; thence on Western Avenue to Lomita Boulevard where passengers are to be picked up; thence east on Lomita to Normandie Avenue where passengers are to be picked up; thence east on Lomita Boulevard, picking up passengers at Vermont Avenue, Figueroa Street, Main Street, Avalon Boulevard, and Wilmington Avenue; thence on Wilmington Avenue to Sepulveda Boulevard where passengers are to be picked up; thence on Wilmington Avenue and San Diego Freeway to Springdale Street, Huntington Beach; thence on Springdale Street and Bolsa Avenue to McDonnell Douglas plant at 5301 Bolsa Avenue in Huntington Beach.

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Section 2. ROUTE DESCRIPTIONS--Contd.

Route 3. San Fernando Valley

Commencing at and picking up passengers at the Sears Roebuck parking lot located at the intersection of Fallbrook Avenue and Victory Boulevard, Los Angeles; thence on Victory Boulevard to Topanga Canyon Boulevard where passengers are to be picked up; thence on Topanga Canyon Boulevard to Ventura Freeway where passengers are to be picked up; thence on the Ventura Freeway to Winnetka Avenue where passengers are to be picked up; thence on Ventura Freeway to Reseda Boulevard where passengers are to be picked up; thence on Reseda Boulevard to Burbank Boulevard where passengers are to be picked up; thence on Burbank Boulevard to Ventura Freeway; thence on Ventura Freeway to Balboa Boulevard where passengers are to be picked up; thence on Ventura Freeway to Van Nuys Boulevard where passengers are to be picked up; thence on Ventura Freeway, Golden State Freeway, Santa Ana Freeway, Interstate Highway 605 and San Diego Freeway to Springdale Street, Huntington Beach; thence on Springdale Street and Bolsa Avenue to McDonnell Douglas plant at 5301 Bolsa Avenue in Huntington Beach.

Route 3
(alternate).

Commencing at and picking up passengers at the Sears Roebuck Parking Lot located at the intersection of Fallbrook Avenue and Victory Boulevard, Los Angeles; thence on Victory Boulevard to Topanga Canyon Boulevard where passengers are to be picked up; thence on Topanga Canyon Boulevard to Ventura Freeway where passengers are to be picked up; thence on the Ventura Freeway to Winnetka Avenue where passengers are to be picked up; thence on Ventura Freeway to Reseda Boulevard where passengers are to be picked up; thence on Reseda Boulevard to Burbank Boulevard where passengers are to be picked up; thence on Burbank Boulevard to Ventura Freeway; thence on

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Section 2. ROUTE DESCRIPTIONS--Contd.

Route 3
(alternate).

Ventura Freeway to Balboa Boulevard where passengers are to be picked up; thence on Ventura Freeway to Van Nuys Boulevard where passengers are to be picked up; thence on Ventura Freeway, and San Diego Freeway to Springdale Street, Huntington Beach, Springdale Street and Bolsa Avenue to McDonnell Douglas plant at 5301 Bolsa Avenue in Huntington Beach.

Route 4.

Commencing at and picking up passengers at the intersection of Balboa Boulevard and Devonshire Street, Los Angeles; thence on Balboa Boulevard, picking up passengers at Nordhoff Street, Roscoe Boulevard, Saticoy Boulevard and Vanowen Street; and, thence on Vanowen Street to San Diego Freeway where passengers are to be picked up; thence on the San Diego Freeway to Springdale Street, Huntington Beach; thence on Springdale Street and Bolsa Avenue to McDonnell Douglas plant at 5301 Bolsa Avenue in Huntington Beach.

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