

ORIGINAL

Decision No. 86299

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
YOSEMITE PARK AND CURRY CO. for partial
revocation of passenger stage corpora-
tion certificate, for revocation of
highway common carrier certificate, and
related tariff changes.

Application No. 53377
(Filed June 5, 1972)

O P I N I O N

Yosemite Park and Curry Co., presently operating as a passenger stage corporation and as a highway common carrier between points within the Yosemite area, requests revocation of its highway common carrier certificate, modification of its passenger stage routes and certain changes in its tariff rules relating thereto.

By Decision No. 79401, dated November 23, 1971, in Application No. 52893, applicant's operating authority was restated in the form of new certificates authorizing operations as a highway common carrier between Yosemite Valley and Tuolumne Meadows Lodge and as a passenger stage corporation between Yosemite National Park, on the one hand, and Merced, Fresno, Lee Vining and Hetch Hetchy, on the other hand, including service to intermediate points. Alternate passenger route authority is provided for between Merced, Fresno and the Park.

By the instant application applicant requests that its highway common carrier certificate be revoked because such service is entirely within Yosemite National Park and therefore not subject to the jurisdiction of this Commission. Applicant also requests that its passenger stage routes be modified by deleting therefrom the alternate routes and by changing service to Hetch Hetchy to an on-call seasonal basis from July 1 to Labor Day of each calendar year.

Applicant further requests that its Local Passenger Tariff No. 8, presently on file with this Commission, be amended as follows:

1. The words "OR reverse" to be deleted from Section 7 on service between Fresno and Merced so that it clearly indicates that the Big Trees side trip is available only in conjunction with the southbound movement from Yosemite Valley to Fresno.
2. Changing the last sentence of Rule 110(a), relating to reservations, by changing the time from 9:00 p.m. to 6:00 p.m.

After consideration the Commission finds that the highway common carrier service conducted by applicant is not subject to this Commission's jurisdiction and that in all other respects the granting of the application would not be adverse to the public interest. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. The certificate granted to Yosemite Park and Curry Co., authorizing operations as a highway common carrier and as set forth in Appendix A of Decision No. 79401, is hereby revoked.
2. Appendix C of Decision No. 79401 is hereby amended by substituting Third Revised Pages 2 and 3, attached hereto and by reference made a part hereof, in place of Second Revised Pages 2 and 3.
3. Within sixty days after the effective date hereof, and on not less than five days' notice to the Commission and to the public, applicant shall amend its tariff and timetable presently on file

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with this Commission to reflect the authority as requested and as herein authorized.

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

Dated at San Francisco, California, this 25th day of JULY, 1972.

President
William J. ...

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Commissioners

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

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

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

Yosemite Park and Curry Co., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport persons, or persons and their baggage or express, or persons or baggage or express, when such baggage or express is transported incidental to the transportation of passengers over the routes described in Section 2, and subject to the following conditions:

- 1.a. Service over Route B will be provided only for traffic having either point of origin or destination at Yosemite National Park.
- b. Service over Route B shall be a seasonal service between the approximate dates of May 1 and October 1 of each calendar year when road and weather conditions permit, except that special operations may be conducted without regard to this seasonal restriction. The term "special operations" as herein used shall mean the transportation of groups of passengers traveling pursuant to a common purpose and when the fares or charges for such transportation are computed upon an individual fare basis.
- 2.a. Service over Route C will be provided only for traffic having either point of origin or destination at Yosemite National Park.
- b. Service over Route C shall be a seasonal service between the approximate dates of July 1 and Labor Day, inclusive, of each calendar year when road and weather conditions permit.
- 3.a. Service over Route D will be provided only for traffic having either point of origin or destination at Yosemite National Park.
- *b. Service over Route D shall be an "on-call" seasonal service, subject to a minimum of three adult-fare passengers, between the approximate dates of July 1 and Labor Day, inclusive, of each calendar year when road and weather conditions permit.

Issued by California Public Utilities Commission.

*Changed by Decision No. 80299, Application No. 53377.

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Appendix C
(Dec. 79401)

YOSEMITE PARK AND CURRY CO.
(a corporation)

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Section 2. ROUTE DESCRIPTIONS:

- *Route A Between Merced and Yosemite National Park and intermediate points over and along State Highway 140 via Mariposa and Briceburg.
- *Route B Between Fresno and Yosemite National Park and intermediate points over and along State Highway 41 via Coarsegold and Oakhurst, Coarsegold and entering Yosemite National Park at the south entrance thereof.
- Route C Between Yosemite National Park and Lee Vining and intermediate points over and along State Highway 120.
- Route D Between Yosemite Valley and Hetch Hetchy over and along Big Oak Flat Road through Carl Inn and Mather.

Issued by California Public Utilities Commission.

*Changed by Decision No. 80299, Application No. 53377.