

ORIGINAL

Decision No. 82802

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
Gerald Lynn Corbett for certificate  
of public convenience and necessity  
to operate passenger stage express  
service between the Solvang Castle  
and the Santa Ynez Mission in  
Solvang, California.

Application No. 54681  
(Filed February 21, 1974)

O P I N I O N

Applicant Gerald Lynn Corbett, an individual, requests a certificate of public convenience and necessity to operate as a passenger stage corporation between the Solvang Castle and the Santa Ynez Mission in Solvang and certain intermediate points, including the Hans Christian Andersen Park. Notice of the application was published in the Commission's Daily Calendar of February 26, 1974. The application shows that it was served on the Solvang Municipal Improvement District and the county of Santa Barbara. Applicant alleges that there are no passenger stage corporations performing service on or near the points or over the routes involved in the application. No protests have been received to the granting of the application.

Applicant estimates that the area in and around Solvang has a weekend tourist inflow of approximately 30,000 persons, all of whom must use passenger automobiles for transportation to the different gift shops, attractions, and for sightseeing purposes. Applicant states that he has received requests for the proposed service from residents and business persons of the town of Solvang. Applicant alleges there is no passenger stage service available as proposed. The fare will be 75 cents per person for a round trip. The first bus in the morning will depart Solvang Park at 10:00 a.m. and arrive back at Solvang Park at 10:30 a.m. and will

leave Solvang Park every half hour thereafter, running continually until 5:00 p.m. Service will operate daily through the summer months and Saturday and Sunday in the winter months, except when the tourist traffic in Solvang is at a level comparable to that of a summer day, the bus will run on a summer schedule day basis. The bus to be used is a Leyland Double Decker Bus which is 14 feet, 2 inches high and 26 feet long and will seat 56 adult passengers. Applicant claims the operation will start with an operating capital of \$5,691.

After consideration the Commission finds that public convenience and necessity require that applicant be authorized to engage in operations as a passenger stage corporation as requested in the application. The Commission also finds with reasonable certainty that the project involved in this proceeding will not have a significant effect on the environment. A public hearing is not necessary.

Applicant is 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. 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. A certificate of public convenience and necessity is granted to Gerald Lynn Corbett, authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes set forth in Appendix A, attached hereto and made a part hereof.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if he accepts the certificate he will be required, among other things, to comply with the safety rules of the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-Series, and the insurance requirements of the Commission's General Order No. 101-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service 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 authorized service.
- (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-Series and 98-Series.

- (e) Applicant shall maintain his 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 his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 30th  
day of APRIL, 1974.

William L. Sturgeon President  
[Signature]  
[Signature]  
[Signature] Commissioners

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

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY

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

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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.

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Issued under authority of Decision No. 82802  
Dated APR 30 1974 of the Public Utilities Commission of  
the State of California, on Application No. 54681.

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

Gerald Lynn Corbett, an individual, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers between the Solvang Castle and the Santa Ynez Mission in Solvang and certain intermediate points, including the Hans Christian Andersen Park, over and along the route hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- (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) Service shall be operated daily through the summer months, and at least on Saturdays and Sundays during the remainder of the year.
- (c) Service shall also be rendered on an "on-call" basis. The term "on-call", as used herein, refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.
- (d) Passenger(s) may depart and reboard the bus on a later trip of the same day through a transfer ticket. Passenger(s) may reboard only at Santa Ynez Mission, Hans Christian Andersen Park, or Solvang Castle.
- (e) All service herein authorized shall be limited to the transportation of round-trip passengers only.
- (f) Applicant shall not pick up or discharge passengers except within the limits of the specified service areas as hereinafter set forth. This restriction shall not prevent stopovers for the purpose of permitting sightseeing passengers to visit various points of interest along the route.

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## SECTION 2. ROUTE DESCRIPTION.

Commencing at the bus parking area at the Solvang Park on First Street, south on First Street, east on Copenhagen Drive, north on Alisal Road, east on Mission Drive, to Santa Ynez Mission and return west on Mission Drive, to Atterdag, to Hans Christian Andersen Park and return south on Atterdag, west on Mission Drive, to Solvang Castle and return east on Mission Drive, to First Street returning to bus parking area at the Solvang Park.

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