

Decision No. 81395**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of BAY RAPID TRANSIT COMPANY for )  
revocation of transit operating )  
rights on the Monterey Peninsula.)

Application No. 53998

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 81770 Bay Rapid Transit Company was authorized to discontinue local transit operations on the Monterey Peninsula and cancel all its tariffs and timetables.

In addition, the carrier has long possessed passenger stage operating authority from this Commission to transport passengers in sightseeing service. It was not the intent or request of the applicant that such service be discontinued and the cancellation of tariffs and timetables ordered in Decision No. 81770 was not intended to apply to such sightseeing operations. A further order should be issued for clarification and restatement of the Certificate of Public Convenience and Necessity as a passenger stage corporation in the name of Bay Rapid Transit Company for this sightseeing service.

## IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted to Bay Rapid Transit Company, a corporation, 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 set forth in Appendix A of this decision.

2. The tariff and timetable shall be amended or reissued and shall be made effective not earlier than five days' after the effective date of this order on not less than five days' notice to the Commission and the public.

3. The Certificate of Public Convenience and Necessity granted in Paragraph 1 of this order shall supersede the Certificates of Public Convenience and Necessity granted by Decisions Nos. 42474, 48225, 51747, 55505, 56797, 70615 and 74172 which certificates are revoked effective concurrently with the effective date of the tariff filings required by Paragraph 2.

The Secretary is directed to mail copies of this order to the parties of record in this proceeding at the last known addresses as shown on the Commission's records.

The effective date of this order shall be twenty days after the date hereof, unless before such effective date there shall have been filed with the Commission written response to this order requesting public hearing in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at Los Angeles, California, this 6<sup>th</sup>  
day of MAY, 1975.

Vernon L. Sturgeon  
President  
William J. Brown  
Samuel D. Ross  
Robert A. [unclear]  
Commissioners

FBC

Appendix A

BAY RAPID TRANSIT COMPANY  
(a corporation)

Original Page 1

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.

---

84395

Issued under authority of Decision No. \_\_\_\_\_  
dated MAY 6, 1975, of the Public Utilities Commission of  
the State of California, in Application No. 53998.

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

The certificate hereinafter noted supersedes all operative authority heretofore granted to Bay Rapid Transit Company.

Bay Rapid Transit Company, a corporation, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to establish and operate tours in sightseeing service as a passenger stage corporation by transporting passengers between Monterey, Pacific Grove, Asilomar, 17-Mile Drive, Carmel and Carmel Mission and between Monterey, on the one hand, and San Simeon and Big Sur Route, on the other hand, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time.

Issued by California Public Utilities Commission.

Decision No. 84395, Application No. 53998.

## SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS. (Continued)

## A. Following conditions and restrictions apply to Route 1 only:

1. Round-trip transportation.

Unless otherwise specifically provided herein, all transportation herein authorized may be rendered in round-trip service only.

2. Points of receipt and discharge.

Transportation authorized to commence and end in Monterey or Carmel includes the right to pick up and discharge passengers at such places as are convenient in Monterey and Carmel.

3. Operations in areas where specific routes not specified.

In all instances where the highway over which operations are authorized and to be conducted is not specified, the tour shall be conducted to, from and within the points, places and areas authorized to be viewed or visited over the most practicable and appropriate routes.

4. Minimum number of passengers.

The carrier is authorized to prescribe by lawful tariff that scheduled operation of the authorized tours will not be conducted for less than fifteen passengers. There will be no applicable minimum on trips made Tuesdays, Thursdays and Saturdays between May 1 and October 31 of each year.

5. Days of Operation.

Operations, subject to condition 4 above, shall be conducted daily throughout the year.

Issued by California Public Utilities Commission.

Decision No. 84395, Application No. 53998.

## SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS. (Continued)

6. Special operations.

The term "special operations" as herein used shall mean transportation of groups of passengers pursuant to a common purpose when the fares or charges for such transportation are computed or assessed upon an individual fare basis. Authority is granted to the carrier to conduct special operations over the authorized tour itineraries or any combination thereof subject to the following conditions:

- (a) The carrier shall file and publish tariffs in which shall be set forth the fares and charges to be assessed and collected, or the basis for the computation of the same, together with the rules and regulations which govern the application of the same. Such tariffs may provide for non-scheduled special operations to be conducted on demand and on specified advance notice, for the advance payment of a minimum of adult fares as a condition precedent to the performance of the transportation, and for exclusive occupancy of the vehicle by the group to be transported.
- (b) Special operations may not be conducted over tour itineraries for which operative authority has not been specifically granted, provided that when the point of origin and/or destination of a group moving in special operations shall be at a hotel, resort, common carrier terminal, or other common point of origin or destination within a municipality traversed by authorized tour itineraries, the company is authorized to pick up and/or discharge such group of passengers at such common point when the same is incidental to the special operations movement over authorized tour itineraries.

## B. Following conditions and restrictions apply to Route 2 only:

- 1. Service shall be operated only between April 1 and December 1.
- 2. Bus equipment which exceeds 96 inches in width or 35 feet in length shall not be operated on this route.

C. Service on Route 3 only shall be conducted on a seasonal basis between the approximate dates of May 15 to October 15 of each year.

Issued by California Public Utilities Commission.

Decision No. 84335, Application No. 53998.

SECTION II ROUTE DESCRIPTIONS

Route 1 - Monterey-Big Sur

Commencing from Monterey, thence to Carmel via California Highway 1 continue on Highway 1 to Pfeiffer Big Sur State Park returning in the reverse direction.

Route 2 - Monterey-San Simeon

Commencing at the Bay Rapid Transit Company's depot in Monterey, thence over California Highway 1 to San Simeon, returning in the reverse direction.

Route 3 - Monterey-Carmel Mission

Commencing from Monterey, Pacific Grove, Asilomar, 17-Mile Drive, Carmel, Carmel Mission and return.

Issued by California Public Utilities Commission.

Decision No. 84395, Application No. 53998.