

Decision No. 84771

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
Russell Vreeland/Myles Williams for  
certificate of public convenience  
and necessity to operate passenger  
service between Carmel and surround-  
ing areas.

Application No. 55650  
(Filed April 24, 1975)

Myles Williams, for applicants.  
Randall Ward, for Bay Rapid Transit Company,  
protestant.  
Thomas D. Albert, for Monterey Peninsula Transit,  
interested party.  
Alexander E. Lutkus, for the Commission staff.

O P I N I O N

Russell Vreeland and Myles Williams, doing business as Carmel Motoring Company, request a certificate of public convenience and necessity authorizing operations as a passenger stage corporation for the transportation of passengers on sightseeing tours of the Carmel area.

A public hearing was held before Examiner Daly on June 19, 1975 at Carmel and the matter was taken under submission.

Applicants propose to conduct sightseeing tours of Carmel, Point Lobos, and the 17-mile drive. The tours would be conducted daily, seven days a week. The tours would be approximately two hours in duration and cover distances ranging from 15 to 19 miles. Passengers would be picked up and discharged in front of the Carmel Library and the La Playa Hotel. The proposed fares would range from \$3.50 for adults and \$2.00 for children for a one-hour tour of Carmel to \$7.50 for adults and \$4.50 for children for a 2½-hour tour of Carmel and the 17-mile drive. The proposed fares for the 17-mile drive tour include a toll fee of \$1.50 per passenger.

Service would be provided by two, open-air, 14-passenger, White buses. During the 1930's one of the buses was operated in Sequoia National Park and the other was operated in Yosemite National Park. Both buses have been completely restored to their original state. As of February 28, 1975, applicants indicated a net worth in the amount of \$21,250.

Applicant Williams testified the tours would be planned and developed to emphasize Carmel's charm and historical past; that as residents of Carmel, he believes that they can help many tourists enjoy this historical point of interest; and that there is no existing comparable service.

The protest of Bay Rapid Transit Company was directed only to applicant's proposal to serve the 17-mile drive, because it presently is certificated to provide a sightseeing service covering this area. It conducts tours three days a week during the summer months. Each of protestant's tours of the 17-mile drive originates and ends in Monterey. Tourists who are staying in Carmel may take the tours provided by protestant by driving to Monterey or by using the services of Monterey Peninsula Transit between Carmel and Monterey.

After consideration the Commission finds:

1. Applicants propose to conduct sightseeing tours to Carmel, Point Lobos, and the 17-mile drive. Each tour would originate and end in Carmel and would be conducted in unique, open-air buses.
2. Bay Rapid Transit Company is presently certificated to conduct sightseeing tours from Monterey, which cover the 17-mile drive. Tourists who are staying in Carmel are required to either drive to Monterey or use the service of Monterey Peninsula Transit.
3. At the present time there is no certificated sightseeing service of the 17-mile drive that originates and terminates in Carmel.
4. Public convenience and necessity require that the application be granted.

5. We find with reasonable certainty that the project involved in this proceeding will not have a significant effect in its environment.

Applicants are 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 holders 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 Russell Vreeland and Myles Williams, a partnership, authorizing them 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.


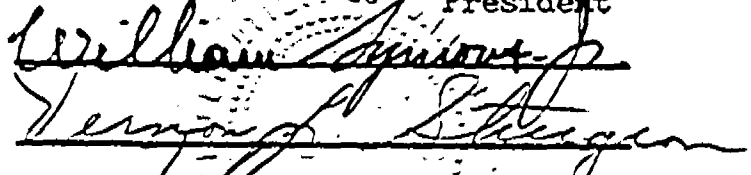

2. In providing service pursuant to the authority granted by this order, applicants shall comply with the following service regulations. Failure to do so may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicants shall file a written acceptance of the certificate granted. Applicants are placed on notice that if they accept the certificate they will be required, among other things, to comply with the safety rules administered by 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, applicants 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) Applicants shall maintain their 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 the Commission, on or before March 31 of each year, an annual report of their operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

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

Dated at San Francisco, California, this 12<sup>th</sup>  
day of AUGUST, 1975.

  
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President  
  
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\_\_\_\_\_  
Commissioners

Appendix A

RUSSELL VREELAND  
AND  
MYLES WILLIAMS  
DBA  
CARMEL MOTORING COMPANY

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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. 84771 dated AUG. 12 1975  
of the Public Utilities Commission of the State of California, in  
Application No. 55650.

## Appendix A

RUSSELL VREELAND  
AND  
MYLES WILLIAMS  
DBA  
CARMEL MOTORING COMPANY

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RUSSELL VREELAND  
AND  
MYLES WILLIAMS  
DBA  
CARMEL MOTORING COMPANY

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

Russell Vreeland and Myles Williams, partners, by the certificate of public convenience and necessity granted by the decision noted in the margin, are authorized to transport passengers for sightseeing purposes, commencing and terminating within the City of Carmel, to various points of interest within the City of Carmel and its immediate vicinity, 17-mile drive and Point Lobos over and along the routes 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) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated. ✓
- (b) All service herein authorized shall be limited to the transportation of round-trip passengers only. ✓
- (c) Passengers shall be picked up and discharged only at the Harrison Memorial Library and the La Playa Hotel within the City of Carmel. ✓

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RUSSELL VREELAND  
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CARMEL MOTORING COMPANY

SECTION 2. ROUTE DESCRIPTIONS.

Route No. 1 - Carmel Tour

Commencing at the Harrison Memorial Library, located at Lincoln Street and 6th Avenue in Carmel, thence over the most appropriate route to the La Playa Hotel, located at Camino Real and 8th Avenue in Carmel, thence over the most appropriate and scenic route within the City of Carmel and its immediate vicinity to the Carmel Mission, thence return by the most appropriate and scenic route within the City of Carmel and its immediate vicinity to the Harrison Memorial Library and the La Playa Hotel.

Route No. 2 - Carmel/17-Mile Drive Tour

Commencing with and including the Carmel Tour as described in Route No. 1, thence over the most appropriate and scenic route within the City of Carmel to the Carmel Gate, thence over the most appropriate and scenic route within the 17-mile drive area, thence return through the Carmel Gate over the most appropriate and scenic route within the City of Carmel to the Harrison Memorial Library and the La Playa Hotel.



Appendix A

RUSSELL VREELAND  
AND  
MYLES WILLIAMS  
DBA  
CARMEL MOTORING COMPANY

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route No. 3 - Carmel/Point Lobos Tour

Commencing with and including the Carmel Tour as described in Route No. 1, thence over the most appropriate and scenic route within the City of Carmel and its immediate vicinity to Rio Road, thence via Rio Road and Highway 1 to Point Lobos State Reserve, thence return via Highway 1 and Rio Road to the City of Carmel, thence via the most appropriate and scenic route within Carmel and its immediate vicinity to the Harrison Memorial Library and the La Playa Hotel.

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