

85513

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE GRAY LINE, INC.)
for certificate of public convenience)
and necessity authorizing service to)
Marriott's "Great America" in Santa)
Clara County, California and to)
establish fares)

ORIGINAL

Application No. 56034
(Filed October 30, 1975)

O P I N I O N

By this application, The Gray Line, Inc., seeks a Certificate of Public Convenience and Necessity to transport passengers in round-trip, non-narrated tours commencing from San Francisco to Marriott's "Great America" in Santa Clara.

Applicant presently holds a Certificate of Public Convenience and Necessity (PSC 524) authorizing it to operate as a passenger stage corporation to provide various sightseeing tours in the San Francisco Bay Area.

Marriott's "Great America", an entertainment facility currently under construction, is scheduled to open for business in March 1976. Applicant believes that the facility will become a major tourist attraction in the Bay Area and that the public interest will be served if transportation service is available between San Francisco and the facility. The proposed round-trip fare is \$9.75 per person and \$4.85 for children, ages five through 11.

There is no public passenger bus transportation at present between the points proposed to be served.

The applicant has verified that it has served copies of the application on the County Clerks of San Francisco, San Mateo and Santa Clara Counties.

The application was listed on the Commission's Daily Calendar on October 31, 1975. The Commission's Transportation Division staff has reviewed the application and recommends that in the absence of protest or request for public hearing it be granted by ex parte order. No protest has been received.

After consideration, the Commission finds that a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation should be granted to the applicant to the extent set forth in the ensuing order. We further find with reasonable certainty that the passenger bus operation involved in this proceeding will not have a significant effect on the environment.

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 granting 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 The Gray Line, Inc., a corporation, authorizing it to extend operations as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the City and County of San Francisco and Marriott's "Great America", an entertainment facility, located in Santa Clara, Santa Clara County.
2. Appendix A of Decision 66165, as heretofore amended, is further amended by incorporating Second Revised Pages 13 and 15, attached hereto, in revision of First Revised Pages 13 and 15, respectively.
3. 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 it accepts the certificate it 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 98-Series, and the insurance requirements of the Commission's General Order 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 five days after the effective date of this order on not less than five 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 79-Series and 98-Series.
- (e) Applicant 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.

Since the facility to be served is scheduled to be open in March, the effective date of this order is the date hereof.

Dated at San Francisco, California,
this 2nd day of MARCH, 1976.

[Signature]
President
William Seymour Jr.
Thomas L. Sturgeon
[Signature]
[Signature]
Commissioners

Appendix A
(Dec. 66165)

THE GRAY LINE, INC.

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Cancels
First Revised Page 13

SECTION 2.00 - POINT-TO-POINT-TRANSPORTATION

GENERAL CONDITIONS

1. *Unless otherwise specifically provided herein, all transportation authorized in this section shall be round-trip, non-narrated tours.
2. *Transportation authorized to commence and end at the carrier's terminal and other points in the City and County of San Francisco.
3. *No passengers shall be transported to or from intermediate points.
4. Intentionally left blank.
5. Intentionally left blank.

Issued by California Public Utilities Commission.

*Amended by Decision No. 85513, Application No. 56034.

SECTION 2.00 - POINT-TO-POINT-TRANSPORTATION (Cont.)

2.01 - *Between San Francisco and Marriott's "Great America"

Commencing from the City and County of San Francisco, thence over and along the most convenient and appropriate streets and highways to Marriott's "Great America" located in Santa Clara, Santa Clara County.

2.02 - Intentionally left blank.

2.03 - Intentionally left blank.

2.04 - Intentionally left blank.

2.05 - Intentionally left blank.

2.06 - Intentionally left blank.

Issued by California Public Utilities Commission.

*Amended by Decision No. 85513, Application No. 56034.