

Decision 84 10 087

OCT 17 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PACIFIC COAST SIGHTSEEING TOURS,)
 LTD., a California limited)
 partnership, for certificate of)
 public convenience and necessity to)
 operate a passenger service between)
 the City of Garden Grove, California;)
 the City of Costa Mesa, California;)
 the City of Newport Beach, California;)
 the City of Irvine, California; and)
 the County of Orange, California.)

Application 84-06-069
 (Filed June 22, 1984)

O P I N I O N

By this application, Pacific Coast Sightseeing Tours, Ltd. (applicant), a limited partnership of Gerard B. O'Connell and Paul V. O'Connell, seeks a certificate of public convenience and necessity (CPCN) to establish passenger stage service between the South Coast Plaza shopping center in the city of Costa Mesa and various hotels in the cities of Newport Beach, Costa Mesa, Irvine, and the retirement community of Leisure World. The proposed one-way fare is \$1. The proposed service is not presently available.

The balance sheet dated April 30, 1984, attached to the application as Exhibit D, shows assets of \$75,778, liabilities of \$44,586, and a net worth of \$31,192. Applicant proposes to operate two 26-passenger air conditioned intercity vehicles with baggage capacity.

Applicant contends that the proposed service will not have an adverse effect on the environment, but that the availability of the service would result in the reduction of private vehicles on the highways which will conserve energy and lessen air pollution.

Applicant has served notice of the application on the cities of Costa Mesa, Irvine, Newport Beach, the county of Orange, and the Southern California Association of Governments. Notice of

the application was listed in the Commission's Daily Transportation Calendar on June 27, 1984. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant possesses the ability and financial resources to perform the proposed service.
2. The proposed rates are reasonable and should be authorized.
3. There is a public need for this passenger stage service.
4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
5. A public hearing is not necessary.

Conclusion of Law

Applicant has demonstrated public convenience and necessity for the proposed service. The application should be granted.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Pacific Coast Sightseeing Tours, Ltd., a limited partnership of Gerard B. O'Connell and Paul V. O'Connell, authorizing it to operate a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1366.

2. Applicant shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. State in its tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. Prior to initiating service to any airport, applicant shall notify the airport authority involved. This certificate does not authorize the holder to conduct any operations on the property of or into any airport unless such operation is authorized by both this Commission and the airport authority involved.

4. Applicant is authorized to begin operations on the date that the Executive Director mails a notice to applicant that it has evidence of insurance on file with the Commission and that the California Highway Patrol has approved the use of applicant's vehicles for service.

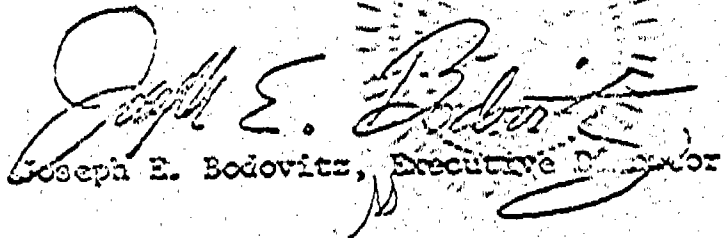
5. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated OCT 17 1984, at San Francisco, California.

VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS.


Joseph E. Bodovitz, Executive Director

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Appendix PSC-1366 PACIFIC COAST SIGHTSEEING TOURS, LTD. Original Title Page
a limited partnership of
Gerard B. O'Connell and Paul V. O'Connell

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION

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

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.

Issued under authority of Decision 84 10 087, dated OCT 17 1984,
of the Public Utilities Commission of the State of California in
Application 84-06-069.

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

Pacific Coast Sightseeing Tours, Ltd., a limited partnership of Gerard B. O'Connell and Paul V. O'Connell, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and baggage between South Coast Plaza shopping center in the City of Costa Mesa, on the one hand, and points in the cities of Costa Mesa, Irvine, and Newport Beach, and in the retirement community of Leisure World in Laguna Hills, on the other hand, over and along the routes described, subject, however, to the authority of this Commission to change or modify the 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. When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- c. Service shall be rendered on a regularly scheduled basis.
- d. No passengers shall be boarded or disembarked except at the service points specified in the route description.
- e. No passengers shall be transported except those having point of origin or destination at South Coast Plaza shopping center.

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SECTION 2. ROUTE DESCRIPTIONS.

Route 1. South Coast Plaza/Newport Beach

Commencing at South Coast Plaza, 3333 Bristol St., Costa Mesa, then over and along the most convenient streets and highways to the following passenger pickup and discharge points: Newport Resort, 1107 Jamboree Road, Newport Beach; Sheraton Newport Hotel, 4545 MacArthur Blvd., Newport Beach; Registry Hotel, 18800 MacArthur Blvd., Irvine; Airporter Inn, 18700 MacArthur Blvd., Irvine; Irvine Marriott, 18000 Von Karman, Irvine; and Westin South Coast Plaza Hotel, 666 Anton Blvd., Costa Mesa.

Route 2. South Coast Plaza/Leisure World

Commencing at South Coast Plaza, 3333 Bristol St., Costa Mesa, then over and along the most convenient streets and highways to the passenger pickup and discharge point at Leisure World, 23522 Paseo De Valencia, Laguna Hills.

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