

Decision 88 01 010 JAN 13 1988**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
Robert C. Cobb, dba CALIFORNIA)	
YOSEMITE TOURS (Transferor) and)	Application 87-09-030
CALIFORNIA YOSEMITE TOURS, INC.)	(Filed September 22, 1987)
(Transferee) to Transfer PSC-1309.)	

OPINION

Robert C. Cobb (Cobb) is an individual doing business as California Yosemite Tours, Inc. He operates out of Merced as a passenger stage corporation, under authority of Commission Decision (D.) 83-08-068, dated August 17, 1983, in Application (A.) 83-06-14. Applicant transports passengers, baggage, and express between Yosemite National Park and the greater Merced area, with designated stops on the route. It is an on-call, one-way or round-trip service. The one-way mileage from origin to destination over Highway 140 is 87 miles.

Cobb provides service with a 40-passenger bus, a 29-passenger bus, and an 11-passenger van. Cobb's balance sheet for the 12 months ending on September 30, 1986, shows total operating revenue of \$96,409 and operating expenses totaling \$83,938. When depreciation and taxes are deducted, the net income is \$5,623.

California Yosemite Tours, Inc. was incorporated in California on April 16, 1984. A copy of its Articles of Incorporation is attached as an exhibit to the application. The corporate balance sheet for the 12 months ending on September 30, 1986, lists assets of \$112,410, and liabilities of \$66,000; income after taxes were paid amounted to \$21,497. It is alleged that granting this application will insure continuity in applicant's operation, since Cobb holds all the stock issued by the California Yosemite Tours, Inc., and is the sole owner thereof.

The filing of the application was noted in the Commission's Daily Calendar on September 28, 1987, and there have been no protests or requests for hearing.

Findings of Fact

1. Applicant Cobb is transferring a passenger stage authority, with operating and office equipment, from himself as an individual, to a corporation.

2. Cobb is the sole stockholder and owner of the corporate transferee.

3. There will be no changes in operation or scheduling under the corporate owner.

4. Applicant has operated profitably as an individual and should continue to do so as a corporation.

5. This order is noncontroversial and should become effective on the date it is signed.

Conclusion of Law

The proposed transfer is in the public interest and should be authorized.

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.

ORDER

IT IS ORDERED that:

1. By April 1, 1988, Robert C. Cobb may sell and transfer the operative rights (and property) specified in the application to California Yosemite Tours, Inc.

a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.

- b. Amend or reissue seller's tariffs and timetables, state in them when the service will start, make them effective 10 days or more days after this order is effective, and allow at least 10 days' notice to the Commission.
- c. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- d. Maintain accounting records in conformity with the Uniform System of Accounts.
- e. Remit to the Commission the Transportation Reimbursement Fee required by PU Code § 403 when notified by mail to do so.

3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to Robert C. Cobb, an individual, authorizing it to operate as a passenger stage corporation, as defined in PU Code § 226, between the points and over the routes set forth in Appendix PSC-1309, to transport persons, baggage, and/or express.

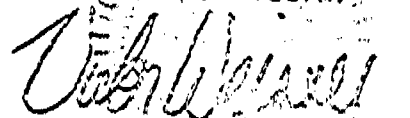
This order is effective today.

Dated JAN 13 1988, at San Francisco, California.

DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

Commissioner Stanley W. Hulett
being necessarily absent, did
not participate.

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


Victor Weisser, Executive Director

Appendix PSC-1309

*CALIFORNIA YOSEMITE
TOURS, INC.

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Cancels
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CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-1309

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 by California Public Utilities Commission.

*Amended by Decision 88 01 010, Application 87-09-030.

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

*California Yosemite Tours Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers, baggage, and express between the points and certain territories intermediate and adjacent thereto, over and along the routes described in Section 2, 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. The transportation of baggage or express shall be on passenger-carrying vehicles and shall be incidental to the transportation of passengers and limited to a weight of not more than 100 pounds per shipment.
- d. The term "on-call" as used 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.

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Appendix PSC-1309

*CALIFORNIA YOSEMITE
TOURS, INC.

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

- e. Routes may not be combined or consolidated without
prior Commission authorization.

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*Amended by Decision 88 01 010, Application 87-09-030.

SECTION 2. ROUTE DESCRIPTIONS.

Route 1. Merced-Yosemite

Between Merced and Yosemite National Park and intermediate points over and along State Highway 140 via Mariposa and Briceburg.

Route 2. Fresno-Yosemite

Beginning within the city limits of the City of Fresno, then by the appropriate streets or roads to California Highway 41, then by California Highway 41 to Yosemite National Park via Coarsegold, Oakhurst and the south entrance to Yosemite National Park.

Route 2-A. Fresno-Yosemite (Alternate)

To be operated when Route 2 is closed. Beginning within the city limits of the City of Fresno by the appropriate streets or roads to California Highway 41, then by California Highway 41, California Highway 49 and California Highway 140 to Yosemite National Park via Coarsegold, Oakhurst, Mariposa and Briceburg.

Route 3. Castle Air Force Base-Fresno Municipal Airport

Beginning within the city limits of the City of Atwater, then by the appropriate streets or roads to the main gate of Castle Air Force Base, then via Santa Fe Drive, West Olive Avenue (Merced), M Street, 23rd Street, K Street, 24th Street to the Antrak Terminal, then by J Street, California Highway 99 and Clinton Avenue (Fresno) to the Fresno Air Terminal.

Issued by California Public Utilities Commission.

*Amended by Decision 38 01 010, Application 87-09-030.