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**ORIGINAL**Decision 89 06 011

JUN 7 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Wonderbus, Inc., a California )  
 corporation to acquire, and Lounge )  
 Car Tours, Inc., to transfer a )  
 passenger stage certificate of )  
 public convenience and necessity )  
 and certain other assets, pursuant )  
 to Section 851 et seq. of the )  
 California Public Utilities Code. )

Application 89-02-021  
 (Filed February 14, 1989)

OPINION

This is an application in which Wonderbus, Inc. (Wonderbus) seeks authority to acquire the operating authority and certain assets of Lounge Car Tours, Inc. (Lounge Car).

Notice of the filing of the application appeared in the Commission's Daily Transportation Calendar on February 17, 1989. There are no protests.

The Commission makes the following findings and conclusion.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Lounge Car received a certificate of public convenience and necessity (PSC-1064) to operate as a passenger stage corporation in Decision (D.) 90232 in Application (A.) 58359 dated April 24, 1979, as modified by D.91530 in A.57576 and D.84-11-057 in A.58359. It is authorized to operate tours between San Francisco and Los Angeles via various intermediate points.
3. Wonderbus is a recently formed California corporation. A balance sheet attached to the application indicates that it had assets of \$102,488 as of November 30, 1988. Its officers have been engaged in the travel and tour business for more than ten years. It proposes to employ trained and experienced personnel.

including highly experienced drivers, having full knowledge of safety rules and regulations of the Commission and the California Highway Patrol, and with the other requirements of the Commission governing passenger stage corporations.

4. On February 6, 1989, the parties entered into an agreement in which Lounge Car agreed to sell its operating authority and specified assets to Wonderbus for \$94,000.

5. Wonderbus has the ability, including financial ability, to continue to operate under the passenger stage operating authority here under consideration.

6. The proposed sale and transfer of the passenger stage operating authority from Lounge Car to Wonderbus is not adverse to the public interest.

7. Because the ensuing decision will benefit the travelling public by providing for continuance of needed service, it should be made effective on the date of signature.

Conclusion of Law

The application should be granted.

This authorization is not a finding of the value of the rights and properties over which control is being acquired.

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. On or before June 30, 1990, Lounge Car Tours, Inc. (Lounge Car) may sell and transfer the operative rights and assets specified in the application to Wonderbus, Inc. (Wonderbus).

2. Wonderbus shall:

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 Lounge Car's tariffs and timetables, state in them when the service will start, make them effective 10 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 Wonderbus, Inc., 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-5717, to transport persons and baggage.

4. The certificate of public convenience and necessity granted by D.90232, D.91530, and D.84-11-057 is revoked on the effective date of the tariffs.

This order is effective today.

Dated JUN - 7 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

Commissioner Frederick R. Duda,  
being necessarily absent, did  
not participate.

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

*Victor Weiss*

Victor Weiss, Executive Director

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
PSC-5717  
TO OPERATE AS A  
PASSENGER STAGE CORPORATION

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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This certificate supersedes all operative authority previously  
granted to Lounge Car Tours, Inc. or its predecessors by D.90232.

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Issued under authority of Decision 89 06 011, dated JUN 7 1989  
of the Public Utilities Commission of the State of California in  
Application 89-02-021.

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Issued by California Public Utilities Commission.

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

Wonderbus, Inc., by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage for sightseeing or pleasure tour purposes originating and terminating at any of the points listed in Section 2, on the one hand, and various points of interest on the tour hereinafter described, on the other hand, subject, however, to the authority of this Commission to change or modify the route at any time and subject to the following provisions:

- (a) All such transportation shall be conducted on a sightseeing or pleasure tour basis.
- (b) Tours shall originate and terminate at one or more of the authorized points and shall be operated on an "on-call" basis. The term "on-call" as used herein 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.
- (c) (Transferred to next page)
- (d) (Transferred to next page)
- (e) (Transferred to next page)
- (f) (Transferred to next page)

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SECTION 2. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS. (Continued)

- (c) (Deleted)
- (d) Tours shall be conducted on a continuous basis except for stops for sightseeing, meals and lodging.
- (e) Tours shall include more than bare expeditious point-to-point transportation and shall provide accessorial services including, but not limited to, tour guides, restaurant meals and accommodation for lodging; tariffs shall define and include the charges for such accessorial services.
- (f) (Deleted)

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SECTION 2. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND SPECIFICATIONS. (Continued)

- (g) Loading and unloading of passengers at the Beverly Hilton Hotel shall be either on hotel property or on Santa Monica Boulevard (south roadway).
- (h) Within the City of Beverly Hills, vehicles shall only traverse the streets designed as "Heavy Traffic Streets" in Section 3-6.104 of the Beverly Hills Municipal Code.
- (i) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (j) Alternate Routes may be operated only in combination with or as part of the regular routes to which they are related.
- (k) Service on Tours 2 and 3 to be in vehicles with no more than 20-passenger seats, said seats to be mounted to swivel 360°. The vehicles are to be carpeted and equipped with stereo-sound equipment.

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## SECTION 2. AUTHORIZED POINTS OF ORIGIN/TERMINATION.

All tours shall originate and terminate at one or more of the following locations:

<u>Hotel/Motel</u>	<u>Address</u>
<u>LOS ANGELES AREA</u>	
The Bonaventure Hotel	Fifth St. & Figueroa St. Los Angeles
The Wilshire-Hyatt Hotel	3515 Wilshire Boulevard Los Angeles
The Hollywood Holiday Inn	1755 Highland Avenue Los Angeles
The Beverly Hilton Hotel	9876 Wilshire Boulevard Beverly Hills
<u>SAN FRANCISCO</u>	
Sheraton at Fisherman's Wharf	2500 Mason St. San Francisco
Holiday Inn - Union Square	480 Sutter St. San Francisco
Hotel Sir Francis Drake	Powell St. & Sutter St. San Francisco

## SECTION 3. ROUTE DESCRIPTIONS.

TOUR 1 Los Angeles - San Diego (Deleted)

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Decision 89 06 611, Application 89-02-021.

## TOUR 2 San Francisco - Los Angeles (5 days)

Beginning at one or more of the points named in Section 2, thence via by the appropriate city streets to Interstate Highway 80 (I-80), thence via I-80 to Interstate Highway 580 (I-580), thence via I-580 State Highway 132, thence via State Highway 132 to State Highway 99, thence via State Highway 99 to State Highway 140, thence via State Highway 140 to Yosemite National Park, thence via various roads in the park for sightseeing within Yosemite National Park, thence via State Highway 140 to State Highway 99, thence via State Highway 99 to State Highway 152, thence via State Highway 152 to State Highway 156, thence via State Highway 156 to U.S. Highway 101, thence via U.S. Highway 101 to State Highway 156, thence via State Highway 156 to Monterey, thence via the local street of Monterey to 17-Mile Drive, thence via 17-Mile Drive to Carmel, thence via the streets of Carmel to State Highway 1, thence via State Highway 1 to U.S. Highway 101, thence via U.S. Highway 101 to State Highway 246, thence via State Highway 246 to State Highway 101 to Highland Avenue Exit in Hollywood, thence via the local streets to one or more of the points named in Section 2.

## TOUR 3 San Francisco - Los Angeles (3 days)

Beginning at one or more of the points named in Section 2, thence via by the appropriate city streets to Interstate Highway 80 (I-80), thence via I-80 to U.S. Highway 101, thence via U.S. Highway 101 to the junction of State Highway 156, thence via State Highway 156 to San Juan Bautista, thence via State Highway 156 to U.S. Highway 101, thence via U.S. Highway 101 to State Highway 156, thence via State Highway 156 to State Highway 1, thence via State Highway 1 to Monterey, thence via Monterey city streets to 17-Mile Drive, thence via 17-Mile Drive to Carmel, thence via Carmel city streets to State Highway 1, thence via State Highway 1 and Monterey city streets, thence via Monterey city streets and State Highway 1 to U.S. Highway 101 near San Luis Obispo, thence via U.S. Highway 1 to Avila Beach Exit, thence via county roads to Port San Luis, thence via county roads to U.S. Highway 101, thence via U.S. Highway 101 to State Highway 1, thence via State Highway 1 to State Highway 246, thence via State Highway 246 to State Highway 156, thence via State Highway 156 to U.S. Highway 101, thence via U.S. Highway 101 to Highland Avenue Exit in Hollywood, thence via the appropriate city streets to one or more of the points named in Section 2.

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TOUR 4 (Intentionally left blank)

ALTERNATE ROUTE FOR TOURS 2 AND 3.

In the event State Highway 1 is closed between the City of Carmel and the community of San Simeon, the route will depart from the City of Monterey by State Highway 68, thence via State Highway 68 to U.S. 101, thence via U.S. 101 to State Highway 46, thence via State Highway 46 to State Highway 1, thence via State Highway 1 to San Simeon.

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