

ORIGINAL

Decision 82 02 036 FEB 17 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ORANGE COAST
SIGHTSEEING COMPANY, a corporation,
for authority to establish one-way
fares between its Anaheim-Buena
Park Service Area and the Queen
Mary, and to provide minor route
revisions to Tour 12.

Application 60774
(Filed July 28, 1981)

INTERIM OPINION

Applicant is a passenger stage corporation operating a sightseeing service between various points in Orange County, on the one hand, and points of interest in Orange and Los Angeles Counties, on the other hand, as set forth in Decision (D.) 69671 in Application 47707, as amended by later decisions.

Applicant requests that its certificate be amended to provide for one-way service and fares between its Anaheim-Buena Park service area and the Queen Mary in Long Beach Harbor, its Tour 4; it also seeks authority to revise its Tour 12, which operates round trip between Anaheim and the Long Beach Terminal, by extending the route to provide both one-way and round-trip service to the Queen Mary. One-way fares on both routes will be \$2 for children (age 3 to 11 years) and \$4 for adults (12 years of age and older). Applicant will schedule five round trips daily, on seven days a week. Applicant's equipment list and balance sheet are attached to the application. It is evident that applicant has the equipment and financial resources to provide the proposed service.

A protest was filed on August 27, 1981 by The Town Tour FunBus Company, Inc., doing business as FunBus Systems. It is alleged that protestant has already filed to serve the area applicant proposes to serve and that applicant applied after the protestant.

Protestant requested a public hearing, which was scheduled on November 19, 1981. The protest was withdrawn prior to the hearing on the understanding that the applicant would withdraw its protest to protestant's Application 60718.

In D.93726 in Applications 59818 et al. issued November 13, 1981, we found that sightseeing-tour service over a loop is not that of a passenger stage corporation. However, the portion of that decision completely eliminating our regulation over sightseeing-tour carriers will not become effective until after judicial review. We announced in D.93726 that during this transitional period we would grant pending applications ex parte with temporary operating authority upon a showing that applicant had adequate public liability insurance. Accordingly, we will issue temporary authority to applicant to extend its Tour 12.

Findings of Fact

1. The proposed one-way service between applicant's Anaheim-Buena Park service area and the Queen Mary in Long Beach Harbor is passenger stage service.

2. The proposed revision to Tour 12 involves sightseeing-tour service over a loop.

3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. Applicant should be authorized to provide one-way passenger stage service and to charge one-way fares between its Anaheim-Buena Park service area and the Queen Mary in Long Beach Harbor.

2. Applicant should be granted temporary authority to extend its sightseeing Tour 12.

3. Since applicant alleges there is a need for the proposed services, and since the liability insurance required by General Order Series 101 must be in effect before operations begin, the following order should be effective today.

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.

INTERIM ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Orange Coast Sightseeing Company (Orange Coast), a corporation, authorizing it to operate as a passenger stage corporation, as defined in Public Utilities Code § 226, in one-way service between its Anaheim-Buena Park service area, and the Queen Mary in Long Beach Harbor, as more particularly set forth in Appendix A, to transport persons.

2. Orange Coast is temporarily authorized to provide sightseeing-tour service by extending its Tour 12, as proposed in the application and as more particularly set forth in Appendix A. A permanent certificate may be issued by a final order.

3. Orange Coast shall:

- a. File a written acceptance of this authority 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.

This order is effective today.

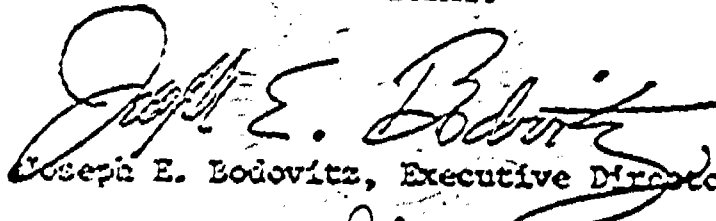
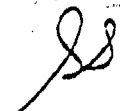
Dated FEB 17 1982, at San Francisco, California.

RICHARD D GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
FRUSILLA C. CREW
Commissioners

Commissioner JOHN E. BRYSON

Present but not participating.

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


Joseph E. Bodovitz, Executive Director


Appendix A
(Dec. 69671)

ORANGE COAST SIGHTSEEING COMPANY
(a corporation)
(PSC-322)

Second Revised Page 2
Cancels
First Revised Page 2

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

Orange Coast Sightseeing Company, a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to conduct a sightseeing service for the transportation of passengers between certain service areas as hereinafter set forth, on the one hand, and points of interest in Orange and Los Angeles Counties, on the other hand, over and along the routes hereinafter described, subject to the following conditions and restrictions:

- 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. All service herein authorized shall be limited to the transportation of round-trip passengers only, except on Routes 4 and 12 one-way passengers may be transported between the Anaheim-Buena Park Service Area and the Queen Mary in Long Beach.
- d. Applicant shall not pick up or discharge passengers except within the limits of the specified service areas as hereinafter set forth. This restriction shall not prevent stopovers for the purpose of permitting sightseeing passengers to visit various points of interest along the route.
- e. Tour No. 1

Regular scheduled daily service shall be operated from June 16 through September 15 each year. From September 16 through June 15, applicant will not be obligated to render service for less than 15 adult fare paying passengers.

Issued by California Public Utilities Commission.

* Changed by Decision 82 02 036, Application 60774.

Appendix A
(Dec.69671)

ORANGE COAST SIGHTSEEING COMPANY
(a corporation)
(PSC-322)

First Revised Page 7
Cancels
Original Page 7

SECTION 3. ROUTE DESCRIPTIONS.

Tour No. 12 - Catalina Tour

Commencing in the Anaheim-Buena Park Service Areas, thence by city streets to the Garden Grove Freeway (State Highway 22), San Diego Freeway (Interstate 405), Long Beach Freeway (State Highway 7) to the Broadway off-ramp, thence south on Magnolia Avenue to the Queen's Way off-ramp, thence west on Queen's Way to Golden Shore Boulevard to the Long Beach terminal of Harbor Carriers at 330 Golden Shore Boulevard. Return going north on Golden Shore Boulevard to the Long Beach Freeway (State Highway 7), San Diego Freeway (Interstate 405), and the Garden Grove Freeway (State Highway 22) to the Anaheim-Buena Park area.

* Alternate Route

Commencing at the Long Beach Terminal of Harbor Carriers (now H. Tourist, Inc.) at 330 Golden Shore Boulevard in Long Beach, thence easterly along Shore Line Drive, thence southerly along Queen's Way to Queen's Highway, thence southeasterly along Queen's Highway to the Queen Mary, thence northwesterly and north along Queen's Highway and Harbor Scenic Drive to the Long Beach Freeway (State Highway 7), thence continuing on the presently authorized route of Tour No. 12 to the Anaheim-Buena Park Service Area.

Issued by California Public Utilities Commission.

* Added by Decision 82 62 036, Application 60774.