

T/ctb

Decision 82 02 121

FEB 17 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application  
of: BEVERLY A. IMMENDORF for a  
Certificate of Public Convenience  
and Necessity authorizing the  
Applicant to operate a Passenger  
Stage service for the Hearing  
Impaired. Sightseeing tours in  
the Northern California area will  
be made available to the Hearing  
Impaired public upon demand,  
pursuant to the provisions of  
section 1031, et seq. of the Public  
Utilities Code of the State of  
California.

Application 61129  
(Filed December 11, 1981)

INTERIM OPINION

Beverly A. Immendorf (applicant), doing business as Visual Adventours, requests a certificate of public convenience and necessity under Public Utilities Code Section 1031 to conduct sightseeing-tour operations.

Applicant proposes to offer the hearing-impaired public guided sightseeing bus tours of the various points of interest in California.

In Decision (D.) 93726 in Application 59818 et al. issued November 13, 1981, the Commission 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 grant this application. Applicant must file evidence of the required minimum insurance coverage set by General Order 101 before operations begin.

Findings of Fact

1. The proposed operations are sightseeing-tour service over a loop.
2. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion of Law

Temporary operating authority should be granted; since there is an alleged need for the proposed service and liability insurance set by General Order 101 will be required 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. Beverly A. Immendorf, doing business as Visual Adventours, is granted a temporary certificate of public convenience and necessity to operate over the routes proposed in the application until further order of the Commission and is assigned Passenger Stage Corporation No. 1209. A permanent certificate prepared by this Commission may be issued by a final order.
2. Applicant 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 her 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.

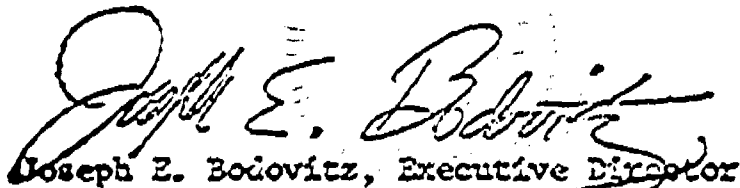
Dated FEB 17 1982, at San Francisco, California.

RICHARD D. GRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. GREW  
Commissioners

JOHN E. BRYSON  
Commissioner

Present but not participating.

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

  
Joseph E. Bodovitz, Executive Director