

ORIGINAL

Decision 82 05 051 MAY 17 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of PINETREE SERVICE CORPORATION, )  
INC., a California corporation, )  
for a certificate of public con- )  
venience and necessity to operate )  
a sightseeing tour between points )  
in Los Angeles County on one hand )  
and various points of interest in )  
Los Angeles and Orange Counties )  
on the other hand. )

Application 82-03-22  
(Filed March 5, 1982)

INTERIM OPINION

Pinetree Service Corporation, Inc. (applicant) requests a certificate of public convenience and necessity under Public Utilities (PU) Code Section 1031 to conduct sightseeing-tour operations.

Applicant proposes to operate the following service:

A daily demand-response-type sightseeing service from the major hotels in Los Angeles and Long Beach to various points of interest such as Disneyland and Knott's Berry Farm in Orange County, and Universal Studios, Manhattan Beach, the Queen Mary, and Catalina Island in Los Angeles County.

Applicant currently holds a passenger stage certificate to perform sightseeing tours in and around various points in Los Angeles and Orange Counties and by this application seeks to enlarge the scope of its existing authority for the benefit of the public by presenting a broad spectrum of tours from which to choose.

The application has been protested by The Gray Line Tours Company, Orange Coast Sightseeing Company, and by Starline Sightseeing Tours, Inc. Among other things, the protestants contend that no need exists for the proposed service under either conventional standards of public convenience and necessity or the more restrictive provisions of PU Code Section 1032. It is the further contention of protestant that the Commission's recent policy of granting sightseeing certificates which duplicate existing carrier certificates have a cumulative adverse effect on existing sightseeing carriers.

In Decision (D.) 93726 in Application 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 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. Pinetree Service Corporation, Inc. is granted a temporary certificate of public convenience and necessity to operate over the route proposed in the application until further order of the Commission and is assigned a passenger stage corporation (PSC) No. 1152. 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 its tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make the 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 MAY 17 1982, at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. GRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. GREW  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director