

ORIGINAL

Decision 82 08 037

AUG 4 - 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
RONALD H. DAVIS, doing business as)
MINI CHARTER, for an extension to)
CAL. PSC-1013, an authorized)
passenger stage corporation, now)
operating in San Francisco, Marin,)
and Alameda Counties.)

Application 82-05-46
(Filed May 19, 1982)

INTERIM OPINION

Ronald H. Davis, doing business as Mini Charter, holds passenger stage corporation authority (PSC-1013) which authorizes operations as a sightseeing-tour carrier out of San Francisco. He is now requesting the following additional authority:

Applicant will be providing four basic tours. Each tour is programmed to last eight hours.

1. San Francisco to Muir Woods and the Wine Country.
2. Marin County to Muir Woods and the Wine Country.
3. Marin County to the Wine Country.
4. Oakland/Alameda to the Wine Country.

All tours depart at 9:00 a.m. in the morning and will run every day on an on-call basis. Transportation to be provided in 16- to 24-passenger mini-buses. The proposed adult fare is \$29.50 on all tours, with a \$5 discount for children under 12 years of age.

Copies of the application were mailed to four competitors and the filing of the application was noted in the Commission's Daily Calendar on May 21, 1982. No protests have been received.

In Decision (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 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. Ronald H. Davis is granted a temporary certificate of public convenience and necessity to operate a sightseeing-tour service over the routes proposed in the application until further order of the Commission and is assigned Passenger Stage Corporation PSC 1013. A permanent certificate prepared by this Commission may be issued by a final order.

2. Applicant shall:

- a. File a written acceptance of this certificate 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 his 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.

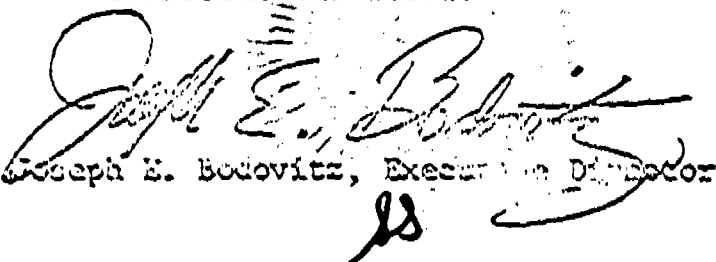
This order is effective today.

Dated AUG 4 1982 , at San Francisco, California.

JOHN E. BRYSON
President
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. GREW
COMMISSIONERS

Commissioner Richard D. Gravello, being necessarily absent, did not participate in the disposition of this proceeding.

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


Joseph E. Bodovitz, Executive Director