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SEP 22 1982

ORIGINAL

Decision

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
 of: JEAN-PIERRE MOURAUX, PRESIDENT,
 FRANCE-CALIFORNIA TOURIST SERVICES,
 CORP. for a Certificate of Public
 Convenience and Necessity authori-
 zing the Applicant to operate a
 Passenger Stage service, with
 sightseeing tours available to the
 French speaking (tourist) public
 on a per capita basis between
 San Francisco and different points
 in California, pursuant to the
 provisions of Section 1031, et seq.
 of the Public Utilities Code of the
 State of California.

Application 60920
 (Filed September 22, 1981;
 amended July 1, 1982)

INTERIM OPINION

France-California Tourist Services, Corp. (applicant) is a passenger stage corporation (PSC-1204) conducting French-speaking guided sightseeing-tour operations in California and Nevada.

By Application (A.) 60920, as amended, applicant requests the following additional authority:

1. Revise its present Tour #3 to include Muir Woods, Sausalito, French Cheese Co., and Sonoma in lieu of the present points included in that tour.
2. Expand its operations to include Tours Nos. 10 and 11 as follows:

Tour #10 - San Francisco to Columbia.

Tour #11 - A five-day tour of various points in the States of California and Nevada.

The proposed Tour #11 is an interstate operation not subject to this Commission's jurisdiction and, therefore, may require the Interstate Commerce Commission's authorization.

In Decision (D.) 93726 in A.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 already has on file evidence of the required minimum insurance coverage set by General Order 101.

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.
3. Tour #11 is an interstate operation not subject to the jurisdiction of this Commission.

Conclusions of Law

1. Temporary operating authority should be granted. Since there is an alleged need for the proposed service and since applicant has evidence of liability insurance set by General Order 101 on file with the Commission, the following order should be effective today.
2. Tour #11 should be excluded, as this tour is not subject to the jurisdiction of this Commission.

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. France-California Tourist Services, Corp. is granted a temporary certificate of public convenience and necessity to operate a sightseeing-tour service over the routes proposed in Application 60920, as amended, except interstate service, Tour #11, until further order of the Commission. The authority granted is in addition to the authority granted in Decision 82-02-037, dated February 4, 1982. 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 timetables and tariffs effective 10 or more days after this order is effective.

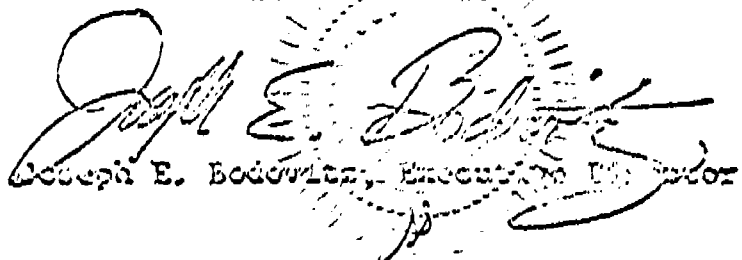
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

This order is effective today.

Dated SEP 22 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. CRAVELLE
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