

~~CONFIDENTIAL~~

Decision 82 10 056 OCT 20 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CHAPARRAL TOURS, INC. (A California)
Corporation), for a Certificate of)
Public Convenience and Necessity to)
operate as a Passenger Stage)
Corporation, to provide passenger)
sightseeing tours, from El Centro,)
County of Imperial, extending to)
points in San Diego, Orange, and)
Los Angeles, Counties and return.)
Under authority of Sec. 1031 et seq.,)
of the Public Utilities Code of the)
State of California.)

Application 82-07-36
(Filed July 15, 1982)

INTERIM OPINION

Applicant has applied for authority under Public Utilities Code § 1031 to provide sightseeing service from El Centro in Imperial County to:

Tour 1	Disneyland	Anaheim
Tour 2	Knott's Berry Farm	Buena Park
Tour 3	Magic Mountain Park	Valencia
Tour 4	Lawrence Welk Theater	Escondido
Tour 5	San Diego Stadium	San Diego
Tour 6	Sea World	San Diego

Fares include the cost of admission to the attraction to be visited and vary from \$25 to \$36. Tours are from 9 to 17 hours in length. Tours 1 through 4 will be provided on Sundays and Tour 6 on Mondays. Tours 5 and 6 may vary more than other tours because they are scheduled to encourage passengers to attend athletic events. Applicant reserves the right to cancel any tour with less than 20 reserved seats at the time the tour is scheduled to leave.

Applicant has a 1967 39-passenger bus and is arranging the lease or purchase of a 1969 47-passenger coach. Applicant is based in El Centro, California. Applicant's balance sheet, dated February 28, 1982, indicates a net worth of \$65,200.

A protest was filed on August 16, 1982, by Goodall's Charter Bus Service, Inc. (Goodall's). Goodall's is located in San Diego and holds a Class A charter party certificate. Protestant has equipment and a resident agent in El Centro. It is alleged that there is no need for the proposed service and that protestant should have the opportunity to present proof at a public hearing.

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. Chaparral Tours, Inc., 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 required by General Order 101 will 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. Chaparral Tours, Inc. 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-1254. A permanent certificate 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 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.

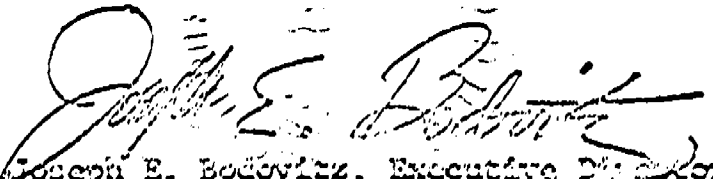
This order is effective today.

Dated October 20, 1982, at San Francisco, California. ✓

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

Commissioner Priscilla C. Grew,
being necessarily absent, did
not participate.

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


Joseph E. Bodovitz, Executive Director

- 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 OCT 20 1982, at San Francisco, California.

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

Commissioner Priscilla C. Crow,
being necessarily absent, did
not participate