

Decision 82 11 031 NOV 3 - 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of LUIS LIMO CHARTER for additional authority certificate of public convenience and necessity to operate passenger stage coach service between Glendale, Burbank to Disneyland and Knott's Berry Farm.

Application 82-08-28
(Filed August 13, 1982)

INTERIM OPINION

Luis E. Limo (applicant), doing business as Luis Limo Charter, requests authority to extend his existing passenger-stage service (PSC-1214) for sightseeing operations to operate one round trip per day from designated hotels and motels in Glendale and Burbank to Disneyland and Knott's Berry Farm and back.

In Decision (D.) 93726 in Application (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, and confirmed in D.82-09-087 issued September 22, 1982 (opinion on rehearing), that during this transitional period we would grant pending applications ex parte with temporary operating authority upon a showing that applicant has 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 operating herein.

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

The temporary operating authority granted to applicant in D.82-04-036 should be extended as requested. 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. Luis E. Limo is granted an extension of his temporary certificate of public convenience and necessity (PSC-1214) to operate a sightseeing-tour service over the routes proposed in Application 82-08-28 until further order of the Commission. 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 five days' notice to the Commission; and make timetables and tariffs effective five or more days after this order is effective.

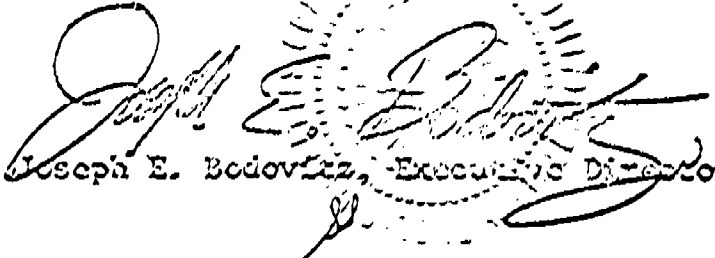
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.
- e. Maintain accounting records in conformity with the Uniform System of Accounts.

This order is effective today.

Dated NOV 3 1982, at San Francisco, California.

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

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


Joseph E. Bodovitz, Executive Director