

ORIGINAL

Decision S2 11 063 NOV 17 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of M.A.P.P. USA,  
a California Corporation, for  
certificate of public convenience  
and necessity to operate passenger  
service, namely sightseeing,  
nightclubs, and restaurant tours,  
within the county of Los Angeles  
and the Marina Del Rey (sic)  
and/or Santa Monica area,  
Beverly Hills and/or Hollywood  
and Downtown Los Angeles area.

Application 82-08-37  
(Filed August 18, 1982)

INTERIM OPINION

M.A.P.P. USA, Inc. (applicant) requests a certificate of public convenience and necessity under Public Utilities Code Section 1031 to conduct sightseeing-tour operations. Applicant proposes to operate the following service:

A specialized deluxe and unique tour for specific and interested customers commencing from designated hotels/motels in the Los Angeles International Airport area and major hotels/motels in the Los Angeles area along various routes to: Beverly Hills and Westwood; Long Beach, for a tour of the Queen Mary, including points of interest in Palos Verdes, Redondo Beach, Hermosa Beach, Marina Del Rey, and Santa Monica; Santa Barbara and Solvang; Disneyland; Knott's Berry Farm; Magic Mountain; and a night tour of the Sunset Strip.

Applicant intends to operate the proposed tours with a 7-passenger vehicle and a 5-passenger vehicle. Applicant also plans to purchase additional equipment as the need arises.

Notice of the filing of this application appeared in the Commission's Daily Transportation Calendar of August 23, 1982. Orange Coast Sightseeing Company, Starline Sightseeing Tours, Inc., and the City of Beverly Hills protested the application. Among other things, the protestants contend that the application is too vague; that an environmental impact report is required; that the application misrepresents certain hotels on the tour route as being located in the City of Beverly Hills; that no need exists for the proposed service because it duplicates sightseeing operations conducted by protestants; and that there is no basis to support applicant's assertion that the services offered are distinct and different from other transport service systems.

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 and confirmed in D.82-09-87 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 operations begin.

Findings of Fact

1. The proposed operations of applicant 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. M.A.P.P. USA, Inc. is granted a temporary certificate of public convenience and necessity to operate a sightseeing-tour service over the routes and with the equipment proposed in the application until further order of the Commission and is assigned Passenger Stage Corporation PSC-1260. 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.

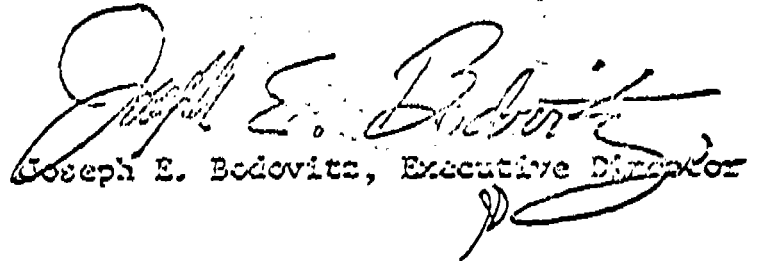
e. Maintain accounting records in conformity  
with the Uniform System of Accounts.

This order is effective today.

Dated NOV 17 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. Bedovitz, Executive Director