

Decision 82 12 029 DEC 1 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of)
 BEST OF SAN FRANCISCO TOURS, INC.)
 for a certificate of public conven-)
 ience and necessity authorizing the)
 applicant to operate a passenger)
 stage service, with sightseeing)
 tours available to the (tourist))
 public on a per capita basis between)
 San Francisco and different points)
 in California, pursuant to the pro-)
 visions of Section 1031, et seq. of)
 the Public Utilities Code of the)
 State of California.)

Application 82-08-38
(Filed August 18, 1982)

INTERIM OPINION

Best of San Francisco Tours, Inc. requests a certificate of public convenience and necessity under Public Utilities Code Section 1031 to conduct sightseeing-tour operations.

Applicant has applied to transport tour groups from designated San Francisco motels to:

1. Various points in San Francisco
2. The Wine Country
3. Sausalito, Muir Woods, and Tiburon
4. Large estates on the San Francisco Peninsula, including Stanford University
5. Points of interest in the East Bay
6. Carmel, Monterey, and Cannery Row, including the 17-Mile Drive

Special tours will be provided during the convention season varying from one to three days and visiting attractions like Carmel, the Wine Country, and Los Angeles. Applicant will lease the necessary operating equipment and provide the drivers. A list of proposed fares is attached to the application. The list is lengthy and fares vary according to the service to be provided. Applicant will provide specially trained guides for all tours.

A letter from the Bank of America is attached to the application which states that applicant has had an account with the bank since September 1979 and is considered to be financially sound. Thirty-three copies of the application were mailed to local city and county clerks. The filing of the application was noted on the Commission's Daily Calendar of August 20, 1982. No protests have been filed.

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 had adequate public liability insurance. Accordingly, we will grant this application. Best of San Francisco 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 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. Best of San Francisco Tours, 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-1267. 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 (CHP) safety rules.
- e. Notify the Commission and CHP of any addition or deletion of vehicle(s) used in the service prior to the fact.

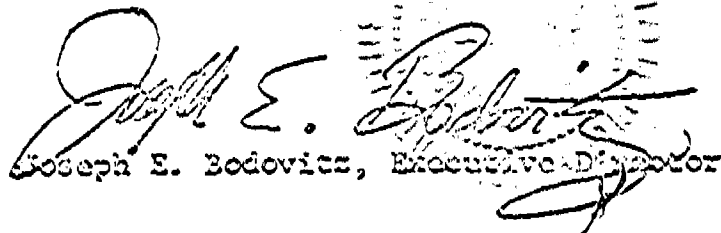
f. Maintain accounting records in conformity
with the Uniform System of Accounts.

This order is effective today.

Dated DEC 1 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
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