

ORIGINAL

Decision 82 12 038 DEC 1 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application	)	
of ANTHONY VERTUCCI, an individual,	)	
doing business as AAMES TOURS, for	)	Application 82-10-21
a certificate of public convenience	)	(Filed October 12, 1982)
and necessity to operate a sight-	)	
seeing tour service in, around and	)	
adjacent to the City of Palm Springs.	)	

INTERIM OPINION

Applicant Anthony Vertucci 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 daily demand response-type sightseeing service from the major hotels and motels in Palm Springs, Rancho Mirage, Palm Desert, and La Quinta to various points of interest in the City of Palm Springs. Applicant proposes to provide such service with five 11- to 15-passenger van buses.

The filing of the application was noted on the Commission's Daily Calendar of October 14, 1982.

No protests to the application have been received.

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.82-09-087 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 had 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 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. Anthony Vertucci 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-1268. 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 his 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.

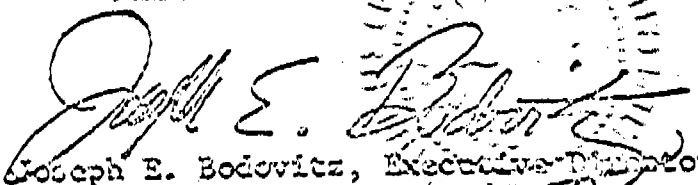
- f. Maintain accounting records in conformity with the Uniform System of Accounts.

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