

Decision S2 12 OS3 December 15, 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ORANGE COAST
SIGHTSEEING COMPANY, a corporation,
for authority to establish tours to
San Diego and Ysidro from Anaheim-
Buena Park.

Application 82-09-16
(Filed September 13, 1982)

INTERIM OPINION

Orange Coast Sightseeing Company requests an extension of its certificate of public convenience and necessity (PSC-322) under Public Utilities (PU) Code Section 1031 to conduct additional sightseeing-tour operations. Applicant proposes to operate the following service:

Tour 18, Sea World

Commencing in the Anaheim-Buena Park area, then along the most appropriate and convenient route to Sea World in the City of San Diego, viewing sights along the way, and return.

Tour 19, San Diego Zoo

Commencing in the Anaheim-Buena Park area, then along the most appropriate and convenient route to the San Diego Zoo in the City of San Diego, viewing sights along the way, and return.

Tour 20, San Ysidro

Commencing in the Anaheim-Buena Park area, then along the most appropriate and convenient route to San Ysidro, San Diego County, viewing sights along the way, and return.

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 23, 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. Since this applicant already has filed proof of insurance, a temporary certificate should be issued.

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.
3. Applicant has the insurance required by General Order 101.

Conclusion of Law

Temporary operating authority should be granted since there is an alleged need for the proposed service. The following order should be effective today.

Only the amount paid to the State for operation 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. Orange Coast Sightseeing Company 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. 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 activity 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. Maintain accounting records in conformity with the Uniform System of Accounts.
- f. Furnish the Commission and the CHP with an initial list of vehicles used in revenue service and report within 20 days any additions or deletions.

This order is effective today.

Dated DEC 15 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

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