

ORIGINAL

Decision No. 87001

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
RONALD H. DAVIS, doing business as
MINI CHARTER, for certificate of
public convenience and necessity to
operate as a passenger stage
corporation for sightseeing service
between certain hotels and motels
in Marin County and San Francisco.

Application No. 57014
(Filed January 18, 1977)

O P I N I O N

Ronald H. Davis, doing business as Mini Charter, requests a certificate of public convenience and necessity authorizing operations as a passenger stage corporation for the transportation of passengers on sightseeing tours between certain hotels and motels in Marin County and points of interest in San Francisco.

Applicant proposes to operate a morning, an afternoon, and an evening tour using a 1976 fifteen-passenger Dodge mini bus. Each tour would be of four-hour duration and the proposed fare would be \$12. Passengers would be picked up at the Holiday Inn in San Rafael, Edgewater Inn in Corte Madera, Tiburon Lodge in Tiburon, and Howard Johnson's in Marin City, and transported to such points of interest in San Francisco as the Palace of Fine Arts, Fisherman's Wharf, Coit Tower, Chinatown, Nob Hill, Civic Center, Twin Peaks, Golden Gate Park, Cliff House, and the Presidio. As of January 18, 1977 applicant indicated a net worth in the amount of \$39,500.

It is alleged that guests at hotels and motels in Marin County presently do not have access to any public transportation for a sightseeing tour of San Francisco; that many of the guests are unfamiliar with San Francisco streets and, in some cases, are unaware of certain points of interest; and that various hotels and

motels have expressed a need for such service on behalf of their guests.

Copies of the application were served upon Golden Gate Transit and the County Clerks of the counties of Marin and San Francisco. No protest has been received.

After consideration the Commission finds that public convenience and necessity require the granting of the application. A public hearing is not necessary. ✓

It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Ronald H. Davis is placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Ronald H. Davis, doing business as Mini Charter, authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the routes set forth in Appendix A of this decision.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if he accepts the certificate he will be required, among other things, to comply with the safety rules administered by the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-Series, and the insurance requirements of the Commission's General Order No. 101-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and file tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the authorized service.
- (d) The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79-Series and 98-Series.

- (e) Applicant shall maintain his accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 29th day of FEBRUARY, 1977.

Robert B. Smith
President
William Symons, Jr.
Richard D. Sturgeon
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Appendix A

Ronald H. Davis
dba
MINI CHARTER

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CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A
PASSENGER STAGE CORPORATION

Showing passenger stage operative rights, restrictions, limitations, exceptions, and privileges applicable thereto.

All changes and amendments as authorized by the Public Utilities Commission of the State of California will be made as revised pages or added original pages.

Issued under authority of Decision No. 87001, dated FEB 23 1977,
of the Public Utilities Commission of the State of California, in
Application No. 57014.

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS.

Ronald H. Davis, doing business as Mini Charter, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to provide sightseeing service between the hotels and motels in Marin County as specified below, on the one hand, and the City of San Francisco, on the other hand, over and along the most direct and appropriate streets and highways subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- (a) All service herein authorized shall be limited to the transportation of round-trip passengers only.
- (b) Applicant shall not pick up or discharge passengers except at the following hotels and motels in Marin County:

Holiday Inn, San Rafael
Edgewater Inn, Corte Madera
Tiburon Lodge, Tiburon
Howard Johnson's, Marin City

This provision shall not prevent stopovers for the purpose of permitting sightseeing passengers to visit various points of interest along the route.

Issued by California Public Utilities Commission.

Decision No. 87001, Application No. 57014.