

ORIGINAL

Decision No. 88375 JAN 17 1978

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
 of )  
 A. B. ALLEN, an individual, )  
 doing business as ALLEN TRANS- )  
 PORTATION CO., for a passenger )  
 stage certificate authorizing )  
 the transportation of passengers )  
 and their baggage between cer- )  
 tain designated points within )  
 the State of California. )

Application No. 57594  
 (Filed September 2, 1977)  
 (Amended October 13, 1977)  
 (Second Amend. November 8, 1977)

O P I N I O N

Applicant A. B. Allen (Allen), an individual, doing business as Allen Transportation Co., by amended application, requests an extension of his present certificate to operate as a passenger stage corporation in the transportation of passengers and their baggage, in round trip, special operations tours. In addition to the five designated tours authorized by Decision No. 85837, Allen proposes twelve additional designated tours beginning and ending in the two Counties of Sacramento and San Joaquin and destined to points and places within California, subject to the following restrictions:

- (a) All such transportation shall be conducted on a sightseeing or pleasure tour basis.
- (b) All tours and passengers on tours shall originate and terminate in one or more points in the above-named counties.
- (c) All tours shall be conducted on a round-trip basis.
- (d) All tours shall be conducted on a continuous basis excepting stops for sightseeing, attending special events, eating, and sleeping.
- (e) All tours shall include more than bare expeditious point-to-point transportation and shall provide accessorial services including, but not limited to, tour guides, restaurant meals, and accommodations.
- (f) Unless otherwise stated, fares are for transportation only, and are subject to change only as provided in the Public Utilities Act of California.

The authority requested entails six one-day tours to Sierra ski areas; two two-day tours to the wine country; a four-day tour to the Los Angeles-Disneyland area; two one-day tours of San Francisco and a one-day tour of the Columbia-Jamestown area. All of these tours would originate in either Sacramento or Stockton.

Specifically, Allen proposes to operate the following tours:

One-Day Tours

- (a) Sacramento to Heavenly Valley Ski Area, South Lake Tahoe.
- (b) Stockton to Heavenly Valley Ski Area, South Lake Tahoe.
- (c) Sacramento to Squaw Valley Ski Area.
- (d) Stockton to Squaw Valley Ski Area.
- (e) Sacramento to Boreal Ridge Ski Area.
- (f) Stockton to Boreal Ridge Ski Area.
- (g) Sacramento to Columbia-Jamestown.
- (h) Sacramento to San Francisco.
- (i) Stockton to San Francisco.

Two-Day Tours

- (a) Sacramento to Fort Bragg (Wine Country).
- (b) Stockton to Fort Bragg (Wine Country).

Four-Day Tours

- (a) Sacramento to Los Angeles.

The application was protested by Greyhound Lines, Inc. (Greyhound), Continental Trailways, Inc. (Trailways) and American Buslines, Inc. (American).

The first amendment filed October 13, 1977 revised the sought authority by deleting the one-day tours to San Francisco from

Sacramento and from Stockton. This revision eliminated the interests of Greyhound in the proceeding.

The second amendment filed November 8, 1977, further revised the sought authority by deleting the one-day tour to Boreal Ridge from Sacramento and from Stockton. This latter revision eliminated the interests of Trailways and American in this proceeding.

#### F I N D I N G S

1. Allen has twice amended his application to satisfy the protestants, Greyhound, Trailways and American. There being no further protests, the matter is now ready for decision.

2. Applicant has sufficient equipment, has the financial ability and has the required fitness to operate the proposed service.

3. Public convenience and necessity require the granting of the application. A public hearing is not necessary.

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

A. B. Allen, an individual, doing business as Allen Transportation Co., 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 granting 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 A. B. Allen, an individual, doing business as Allen Transportation Co., authorizing him to extend operations 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) Notwithstanding (b) above, Tours Nos. 8 and 10 from Sacramento and Tour No. 3 from Stockton, applicant shall establish the authorized service and file tariffs and timetables, in triplicate, in the Commission's office before November 1, 1978.
- (d) The tariff and timetable filings shall be made effective not earlier than five days after the effective date of this order on not less than five 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.
- (e) 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- and 98- Series.
- (f) 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 12th day of JANUARY, 1978.

President  
William L. Symon Jr.  
Vernon L. Sturgeon  
Robert D. Batinovich  
Chairman T. D. Smith  
Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

VVB

Appendix A

A. B. Allen  
d.b.a.  
ALLEN TRANSPORTATION CO.

1st Revised Title Page  
Cancels  
Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE  
A PASSENGER STAGE CORPORATION  
PSC 1002

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

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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.

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Issued under authority of Decision No. 88375, dated JAN 17 1978,  
of the Public Utilities Commission of the State of California, in  
Application No. 57594.

## Appendix A

A. B. Allen  
d.b.a.  
ALLEN TRANSPORTATION

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Appendix A

A. B. Allen  
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ALLEN TRANSPORTATION CO.

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

A. B. Allen, an individual doing business as Allen Transportation Company, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized as a passenger stage corporation to transport passengers and their baggage for sightseeing or pleasure tour purposes, between points within the City limits of Sacramento and various points of interest on the tours hereinafter described, subject, however, to the authority of this Commission to change or modify said tour routes at any time and subject to the following provisions:

- (a) All such transportation shall be conducted on a sightseeing or pleasure tour basis.
- (b) All tours and passengers on tours shall originate and terminate within the City limits of Sacramento.
- (c) All service herein authorized shall be limited to the transportation of round-trip passengers only.
- (d) All tours shall be conducted on a continuous basis excepting for stops, for sightseeing, meals and lodging.
- (e) All tours shall have available more than bare expeditious point-to-point transportation and shall provide accessorial services including, but not limited to, tour guides, restaurant meals and accommodations.

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## SECTION 2. TOURS AUTHORIZED FROM SACRAMENTO. (continued)

Tour No. 6 Sacramento - Heavenly Valley Ski Area, South Lake Tahoe, CA

Commencing from any appropriate point or points within the Sacramento Metropolitan area, thence via Highway 50 to Heavenly Valley. Commencing from Heavenly Valley via Highway 50 to the Sacramento Metropolitan area and to the original point or points of embarkation.

Tour No. 7 Sacramento - Squaw Valley Ski Area

Commencing from any appropriate point or points within the Sacramento Metropolitan area thence via Interstate 80, thence via Highway 89 to Squaw Valley Ski area. Commencing from Squaw Valley area via Highway 89, thence via Interstate 80 to the Sacramento Metropolitan area and to the original point or points of embarkation.

Tour No. 8 Sacramento - Ft. Bragg - Wine Country

Day 1 - Commencing from any appropriate point or points within the Sacramento Metropolitan area, thence via Interstate 5, thence via Highway 20, thence via Highway 101, thence via Highway 20, thence via Highway 1 to Ft. Bragg.

Day 2 - Commencing from Ft. Bragg via Highway 1, thence via Highway 128, thence via Highway 29, thence via Highway 12, thence via Interstate 80 to the Sacramento Metropolitan area and to the points or points of embarkation.

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## SECTION 2. TOURS AUTHORIZED FROM SACRAMENTO. (Continued)

Tour No. 9 Sacramento - Los Angeles

Day 1 - Commencing from any appropriate point or points within the Sacramento Metropolitan area thence via Highway 99 to Stockton, thence via Highway 99 to Bakersfield, thence via Interstate 5 to Los Angeles.

Day 2 - Commencing from Los Angeles thence via the most appropriate route to Universal City, thence via the most appropriate route to tour Los Angeles covering the following points of interest, Civic Center, St. Vincent's Church, St. Sophia's Cathedral, Farmers Market, Little Tokyo, Grauman's Chinese Theater.

Day 3 - Commencing from Los Angeles thence via Interstate 5 to Grand Avenue, thence via Grand Avenue to Knotts Berry Farm, thence via La Palma to Interstate 5, thence via Interstate 5 to Ball Road. Thence via Ball Road to Disneyland. Thence via the most appropriate route the day's commencement point.

Day 4 - Commencing from Los Angeles thence via Interstate 10, thence via Interstate 405 to Busch Gardens, thence via Interstate 5 to Bakersfield thence via Highway 99 to Stockton, thence via Highway 99 to Sacramento Metropolitan area and to the original point or points of embarkation.

Tour No. 10 Sacramento - Mother Lode

Commencing from any appropriate point or points within the Sacramento Metropolitan area thence via Highway 16, thence via Highway 49 to Columbia State Park, thence via Highway 49 to Jamestown, thence via Highway 120, thence via Highway 99 to Sacramento Metropolitan area and to the original point or points of embarkation.

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## SECTION 3. TOURS AUTHORIZED FROM STOCKTON.

Tour No. 1 Stockton - Heavenly Valley Ski Area, South Lake Tahoe, CA

Commencing from any appropriate point or points within the Stockton Metropolitan area, thence via Highway 99 to Grant Line Road, thence via Sunrise Blvd., thence via Highway 50 to Heavenly Valley Ski Resort. Commencing from Heavenly Valley via Highway 50 to Sunrise Blvd., thence via Grant Line Road, thence via Highway 99 to the Stockton Metropolitan area and to the original point or points of embarkation.

Tour No. 2 Stockton - Squaw Valley Area

Commencing from any appropriate point or points within the Stockton Metropolitan area thence via Highway 99, thence via Interstate 80, thence via Highway 89 to Squaw Valley Ski Area. Commencing from Squaw Valley Ski area via Highway 89, thence via Interstate 80, thence via Highway 99 to the Stockton Metropolitan area and to the original point or points of embarkation.

Tour No. 3 Stockton - Ft. Bragg - Wine Country

Day 1 - Commencing from any appropriate point or points within the Stockton Metropolitan area, thence via Highway 99, thence via Interstate 80, thence via Interstate 5, thence via Highway 20, thence via Highway 101, thence via Highway 20, thence via Highway 1 to Ft. Bragg.

Day 2 - Commencing from Ft. Bragg via Highway 1, thence via Highway 128, thence via Highway 29, thence via Highway 12, thence via Interstate 80, thence via Highway 99, to the Stockton Metropolitan area and to the point or points of embarkation.

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