

MEG/FS

Decision No. 89891 JAN 16 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of C T & E Travel Corporation)
(dba California Tour and Expedi-)
tion Co.) a passenger stage cor-) Application No. 58402
poration, to extend its operation) (Filed October 10, 1978)
to include additional points in)
Alameda County to various points)
and places named herein.)

O P I N I O N

By Decision No. 89549, dated October 17, 1978, in Application No. 58188, CT&E Travel Corporation, doing business as California Tour and Expedition Company, was granted a Certificate of Public Convenience and Necessity (PSC-1040) to operate as a passenger stage tour service along four routes originating at six specified hotels/motels in Oakland/Berkeley/Emeryville, and travelling to (1) San Francisco, (2) Muir Woods and Sausalito, (3) "The Wine Country" (wineries in Sonoma and Napa Counties), and (4) Monterey/Carmel.

By this application, as subsequently clarified by a letter dated January 2, 1979 from the CT&E's president, authority is sought to:

- (1) allow tours to originate at any of 21 specified points in Alameda County, and to
- (2) operate three additional tours, as follows:
 - (5) San Francisco Evening Special
 - (6) East Bay Tour - Oakland/Berkeley
 - (7) Marriott's Great America/Marine World - Africa USA

CT&E Travel Corporation's balance sheet is attached to the application as Exhibit E. It shows assets (all cash) of \$10,000 and liabilities of \$10,000 consisting entirely of stockholders' equity.

The application was listed on the Commission's Daily Calendar of October 12, 1978. The Commission's Transportation Division staff has reviewed the application and recommends that, in the absence of protest or request for public hearing, it be granted by ex parte order. No protest or request for hearing has been received. A public hearing is not necessary.

F I N D I N G S

After consideration, the Commission finds that:

1. Public convenience and necessity require that applicant be authorized to provide the proposed services.
2. It can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment.
3. The applicant possesses sufficient financial ability to initiate the proposed transportation services.
4. The application as discussed above should be granted.

The order which follows will provide for the revocation of the certificate issued by Decision 89549 and the issuance of an in-lieu certificate in appendix form incorporating applicant's present and proposed authorities.

Applicant 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.

Conclusion

The Commission concludes that the application should be granted as set forth in the ensuing order.

O R D E R

IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted to CT&E Travel Corporation, dba California Tour and Expedition Company, authorizing it 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. This new certificate shall become effective concurrently with the effective date of the tariff and timetable filings required by paragraph (3b).

2. The Certificate of Public Convenience and Necessity authorized to be transferred to CT&E Travel Corporation by Decision 89549 is revoked effective concurrently with the effective date of the tariff and timetable filings required by paragraph (3b).

3. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure to do so 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 it accepts the certificate it 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 note 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 its 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 its 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 thirty days after the date hereof.

Dated at San Francisco, California, this 16th day of JANUARY, 1979.

Robert Bateman
President
Robert D. Brown
Clare J. DeLoach

Commissioners

Appendix A

C T & E
Travel Corporation
doing business as
CALIFORNIA TOUR AND EXPEDITION COMPANY

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC - 1040

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. 89891, dated
JAN 16 1979 of the Public Utilities Commission of
the State of California, in Application No. 58402.

C T & E
Travel Corporation
doing business as
CALIFORNIA TOUR AND EXPEDITION COMPANY

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

This Certificate cancels and supercedes all previous authority issued to C T & E Travel Corporation to operate as a passenger stage corporation.

C T & E Travel Corporation, doing business as California Tour and Expedition 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 for sightseeing purposes, between the hotels, motels and points listed below, on the one hand, and points of interest and places in the Counties of San Francisco, Marin, Sonoma, Napa, Monterey, San Mateo, and Santa Clara, on the other hand, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following conditions:

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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS
AND SPECIFICATIONS (continued)

1. All sightseeing service herein authorized shall be limited to the transportation of round-trip passengers only originating and terminating at the following points:

<u>Authorized Point</u>	<u>Address/Location</u>
1. Hilton Hotel	at the Oakland International Airport, Oakland
2. Hyatt House Hotel	455 Hegenberger Road, Oakland
3. Travelodge	150 Hegenberger Road, Oakland
4. Holiday Inn	Hegenberger Road at the Nimitz Freeway, Oakland
5. Coliseum Motel	4801 Coliseum Way, Oakland
6. Motel Six	4919 Coliseum Way, Oakland
7. London Lodge	Broadway at Seventh, Oakland
8. Thunderbird Motor Lodge	233 Broadway, Oakland
9. The Boatel & Motor Lodge	No. 21 Jack London Square, Oakland
10. The Jack London Inn	444 Embarcadero West, Oakland
11. The Leamington Hotel	19th at Franklin, Oakland
12. The Hotel Clare- mont	Ashby at Domingo, Oakland
13. Oakland Convention Center	11th Street at Broadway, Oakland
14. The Coral Reef Motel	400 Park Street, Alameda
15. Golden Bear Hotel	1620 San Pablo Avenue, Berkeley
16. The Berkeley House	920 University Avenue, Berkeley
17. The Marriott Inn	200 Marina Blvd., Berkeley
18. The Durant Hotel	2600 Durant Avenue, Berkeley
19. Ashby Avenue BARTD Station	Berkeley
20. Travelodge Berkeley	1820 University Avenue, Berkeley
21. Holiday Inn-Bay Bridge	1800 Powell, Emeryville

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C T & E
Travel Corporation
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CALIFORNIA TOUR AND EXPEDITION COMPANY

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS
AND SPECIFICATIONS (continued)

2. Sightseeing service shall be operated on a scheduled basis but applicant will not be obligated to render service for less than six fares.
3. Applicant shall not operate vehicles with a seating capacity of more than 14 passengers in providing the service.
4. Other than the transportation of personal baggage accompanying a passenger, no additional transportation service, including the transportation of express matter, shall be performed.

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SECTION 2. TOUR DESCRIPTIONS

Tour No. 1 - SAN FRANCISCO TOUR

Commencing at point(s) specified above, thence via Highway 17 or 80, Oakland-San Francisco Bay Bridge to San Francisco then via the most appropriate route to visit the following points of interest and places: Mission Dolores, Twin Peaks, Golden Gate Park, Presidio, Golden Gate Bridge, Marina, Ghirardelli Square, The Cannery, Fisherman's Wharf, "Crookedest Street", Chinatown, Hyatt Regency Hotel and thence via the San Francisco-Oakland Bay Bridge to the original point or points of embarkation.

Tour No. 2 - MUIR WOODS AND SAUSALITO

Commencing at point(s) specified above, thence via Highway 17 or 80, over the Oakland-San Francisco Bay Bridge, San Francisco, Golden Gate Bridge to Marin County, continue to Muir Woods, Sausalito, Highway 101, San Rafael-Richmond Bridge, Highway 17 and returning to the original point or points of embarkation.

Tour No. 3 - WINE COUNTRY

Commencing at point(s) specified above, thence over Highway 17 or 80, Oakland-San Francisco Bay Bridge, San Francisco, Golden Gate Bridge, Highways 101, 37 and 121, to the wineries in Sonoma and Napa Counties and return to original point or points of embarkation via Highways 29, 80 and 17.

Tour No. 4 - MONTEREY AND CARMEL-BY-THE-SEA

Commencing at point(s) specified above, thence over Highways 17 or 80 and 101 to Santa Cruz, continue on Highway 1 to Monterey and Carmel and return via Highways 68, 101 and 17 to original point or points of embarkation.

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SECTION 2. TOUR DESCRIPTIONS (continued)

Tour No. 5 - SAN FRANCISCO EVENING SPECIAL

Commencing at point(s) specified above, thence via Highway 17 or 80, Oakland-San Francisco Bay Bridge to San Francisco then via the most appropriate route to visit the following points of interest and places in San Francisco: Chinatown, Broadway, Japan Center, Fisherman's Wharf, Telegraph Hill and Treasure Island, returning to original point or points of embarkation via the Oakland-San Francisco Bay Bridge and the most appropriate route.

Tour No. 6 - EAST BAY TOUR - OAKLAND/BERKELEY

Commencing at point(s) specified above, thence via the most appropriate route to visit the following points of interest and places in Oakland and Berkeley: Lake Merritt, Jack London Square, the Oakland Temple of the Church of Jesus Christ of Latter-Day Saints, Kaiser Center, University of California and the Berkeley Rose Garden, returning to original point or points of embarkation via the most appropriate route.

Tour No. 7 - MARRIOTT'S GREAT AMERICA/MARINE WORLD-AFRICA U.S.A.

Commencing at point(s) specified above, thence via the most appropriate route to visit Marriott's Great America in Santa Clara and to Marine World Africa U.S.A. in Redwood City, returning to original point or points of embarkation via the most appropriate route.

(END OF APPENDIX A)

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