

MM - RI

Decision No. 90241 APR 24 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE GRAY LINE)
 TOURS COMPANY for a Certificate)
 of Public Convenience and Neces-) Application No. 58600
 sity to extend operations as a) (Filed January 15, 1979)
 passenger-stage corporation.)

Application of THE GRAY LINE)
 TOURS COMPANY for a Certificate)
 of Public Convenience and Neces-) Application No. 58601
 sity to extend operations as a) (Filed January 15, 1979)
 passenger-stage corporation)
 pursuant to Section 1032 of the)
 Public Utilities Code.)

O P I N I O N

The Gray Line Tours Company, by the above applications, requests authority to extend its service as a passenger stage corporation between various points in the Los Angeles Basin area as more specifically stated herein.

By Decision 84749, as amended, applicant presently has the authority from this Commission to conduct operations as a passenger stage corporation to provide sightseeing, race-tracks and special events service between certain points in Southern California.

Gray Line seeks to extend its operations by: .

(1) Application 58600 between Los Angeles and Santa Catalina Island via Port of Los Angeles. Applicant presently has authority to serve the Port of Long Beach. The proposed extension, in the words of the applicant "arises from the fact that due to revisions and variations of departure times of common-carrier vessels serving Santa Catalina Island from the two ports, it is believed that more effective equipment utilization and tour scheduling can be achieved by alternate use of the Port of Los Angeles (San Pedro) in addition to the Port of Long Beach." Applicant continues by stating that the "Port of Los Angeles is in closer proximity to the City of Los Angeles than is the Port of Long Beach; thus, utilization of the former port will serve to reduce over-the-road mileage with resultant fuel conservation." There will be no change in the proposed fares and rules applicable to the present Item 520.

(2) Application 58601, to enlarge its Los Angeles tour to include points of interest located within the Cities of Los Angeles, Burbank, Universal City, Pasadena, San Marino, Arcadia, Glendale, La Canada-Flintridge, South Pasadena, and Beverly Hills, and the unincorporated portions of Los Angeles County encompassed within the city limits of Los Angeles, such as the Los Angeles Civic Center, Dodger Stadium, Coliseum and Sports Arena, St. Vincent's Church, St. Sophia's Cathedral, Farmers Market and Mann's Chinese Theatre, Beverly Hills Business District, West Hollywood Decorators & Antiques District, Glendale Forest Lawn, Pasadena Rose Bowl, California Institute of Technology, the San Marino, South Pasadena, and La Canada-Flintridge residential districts, the Arcadia-Los Angeles County Arboretum, Santa Anita Race Track, California Institute of Technology Jet Propulsion Laboratory, and Descanso Gardens. Applicant alleges that the proposed service will place them "in a position to afford the public the opportunity, on one tour, to view points of interest located both within Los Angeles and within surrounding cities." Applicant would also have the flexibility "to tailor sightseeing to the varying desires of the public from the standpoint of differing points of interest observed en route, dependent upon seasonal considerations, the opening of new points of sightseeing interest and the changing desires of the sightseeing public." The proposed service will provide a half-day and an all-day tour with a fare of \$7.50 and \$14.00, respectively, for an adult and \$3.75 and \$7.50, respectively, for a child. ✓

On February 13, 1979, the Commission staff received a letter from the City of Beverly Hills that they intend to protest Application 58601 as it may affect the City and their residents. Counsel for Gray Line responded on February 20, 1979 to amend proposed Tour 525 by adding the following restrictive language: "provided, however, that operations within the City of Beverly Hills shall be restricted to the traversal of Santa Monica and Beverly Boulevards". Beverly Hills thereupon stated in their letter of February 28 1979 that it "withdraws its protest or intended protest to the application". ✓

These applications were listed on the Commission's Daily Calendar of January 16, 1979. The Commission's Transportation Division staff has reviewed the applications and recommends that in the absence of protest or request for public hearing it be granted by ex parte order.

After consideration, the Commission finds that a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation should be granted to the applicant to the extent set forth in the ensuing order. It can be seen with certainty that there is no possibility that the passenger bus operation involved in this proceeding may have a significant effect on the environment. Further, the operations would contribute to fuel conservation.

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.

O R D E R

IT IS ORDERED that:

1. A certificate of Public Convenience and Necessity is granted to The Gray Line Tours Company, a corporation, authorizing it to extend operations as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between certain points as named in the amended Appendix A, as attached.

2. Appendix A of Decision 84749, as heretofore amended, is further amended by incorporating Fourth Revised Pages 6 and 22 attached hereto, in revision of Third Revised Pages 6 and 22, respectively, and First Revised Page 23, attached hereto, in revision of Original Page 23.

3. 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 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 98-Series, and the insurance requirements of the Commission's General Order 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 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, from time to time, shall prescribe.

A. 58600 - RI

The effective date of this order shall be the date hereof as it would be in the public interest for the carrier to institute the tours at the earliest possible date.

Dated at San Francisco, California, this 24th day of APRIL, 1979.

John E. Bryan
President
James L. Thompson
Robert D. Gresham
Clare T. ...
Donald M. ...
Commissioners

TABLE OF CONTENTS--Contd.

<u>Item No.</u>	<u>Tour No.</u>		<u>Page No.</u>
455	26	Los Angeles - Claremont, Mt. Baldy Tour . . .	19
460	27	Los Angeles - Hollywood City Tour	20
465	28	Night Club Tour	20
485	29	Forest Lawn Memorial Park	21
490	30	Wild Flower Tour.	21
495	31	Floral Parade Tour.	21
500	32	Lion Country Safari Tour.	21
505	33	Marineland Tour	22
506	34	Los Angeles to Points of Interest in Anaheim- Buena Park.	22
510		Sunset Strip.	22
515	35	Los Angeles to Magic Mountain	22
*520	36	Los Angeles to Santa Catalina Island (Ports of Long Beach and Los Angeles)	22
*525	37	Greater Los Angeles Tour.	23
SECTION IV, Nonexclusive Pickup Territories San Diego Area			
600		Nonexclusive Pickup Territories (San Diego Area).	23
605		Coronado Territory.	23
610		Palm Springs.	23
615		San Diego Territory	23
SECTION V, Tours from San Diego, Coronado and Palm Springs			
700		General Limitations	24
705		Deleted	24
710	S-2	San Diego - Coronado, Tijuana	24
720	S-3	San Diego - Palomar Observatory Tour.	25
725		Deleted	25
730	S-5	San Diego - Coronado, Los Angeles Tour. . . .	26
731	S-6	San Diego City Tours.	26
735	P-1	Palm Springs - Indio, La Quinta Tour.	26
740	P-2	Palm Springs - Palm Canyon Tour	26
745	P-3	Palm Springs - Twenty-nine Palms Tour	27

Issued by California Public Utilities Commission.

*Amended and added by Decision 90241, Applications
58600 and 58601.

Item Tour
No. No.

SECTION III, Tours Authorized from
Los Angeles Area--Contd.

- 505 33 Los Angeles to Marineland: From Los Angeles to Marineland and return to Los Angeles along the most convenient or appropriate route.
- 506 34 Los Angeles to Points of Interest in Anaheim-Buena Park: From Los Angeles over the most appropriate and scenic routes, visiting any three of the following points of interest, and return: Knott's Berry Farm, Japanese Village and Deer Park, Wax Museum, Cars of Stars, Planes of Fame, and Alligator Farm.
- 510 Sunset Strip Area: The Gray Line Tours Company is authorized to include in the itinerary in one or more of its tours in Section III of this certificate all or a portion of the Sunset Strip Area of Los Angeles County which is that area delineated and bounded by the Los Angeles County Limits situated northeast of the City of Beverly Hills.
- 515 35 Los Angeles to Magic Mountain: Leaving Los Angeles to Magic Mountain and return to Los Angeles along the most convenient or appropriate routes stopping en route for sightseeing purposes at the Hollywood Bowl, Busch Gardens, and the San Fernando Mission. Note: Dependent upon time and traffic conditions, this tour will include a stopover on return at Universal Studios.
- *520 36 Los Angeles to Santa Catalina Island: From Los Angeles to the Port of Long Beach or Port of Los Angeles and return to Los Angeles along the most convenient or appropriate routes. This tour will provide connecting transportation service by common-vessel carrier to the City of Avalon, Santa Catalina Island, and return.

Issued by California Public Utilities Commission.

*Added by Decision 90241, Application 58600.

Item
No.

SECTION IV, Nonexclusive Pickup Territories,
San Diego Area.

- *525 Greater Los Angeles Tour: This tour covers, by way of example, points of interest located within the Cities of Los Angeles, Burbank, Universal City, Pasadena, San Marino, Arcadia, Glendale, La Canada-Flintridge, South Pasadena, and Beverly Hills, and the unincorporated portions of Los Angeles County encompassed within the city limits of Los Angeles, such as the Los Angeles Civic Center, Dodger Stadium, Coliseum and Sports Arena, St. Vincent's Church, St. Sophia's Cathedral, Farmers Market and Mann's Chinese Theatre, Beverly Hills Business District, West Hollywood Decorators & Antiques District, Glendale Forest Lawn, Pasadena Rose Bowl, California Institute of Technology, the San Marino, South Pasadena, and La Canada-Flintridge residential districts, the Arcadia-Los Angeles County Arboretum, Santa Anita Racetrack, California Institute of Technology Jet Propulsion Laboratory, and Descanso Gardens; provided, however, that operations within the City of Beverly Hills shall be restricted to the traversal of Santa Monica and Beverly Boulevards.
- 600 Nonexclusive Pickup Territories; as used herein, shall be used for the tours specified in Section V of this certificate.
- 605 Coronado Territory: Coronado territory includes that territory located within the city limits of the City of Coronado, California.
- 610 Palm Springs Territory: Palm Springs territory includes that territory located within the city limits of the City of Palm Springs, California.
- 615 San Diego Territory: San Diego Territory includes that territory located within the city limits of the City of San Diego, California.

Issued by California Public Utilities Commission.

*Added by Decision 90241, Application 58601.