

ORIGINAL

Decision No. 30352 MAY 22 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of SAN FRANCISCO-YOSEMITE TOURS,)
INC., a California Corporation,)
for a Certificate of Public)
Convenience and Necessity to)
operate as a Passenger Stage)
Corporation, authorizing the)
transportation of passengers)
in round-trip sightseeing service)
from San Francisco to Yosemite)
National Park in mini-buses,)
pursuant to the provisions of)
Section 1031, et seq., of the)
Public Utilities Code of the)
State of California.)

Application No. 57152
(Filed March 17, 1977)

Eldon M. Johnson, Attorney at Law, for applicant.
Ernest R. Stent, Attorney at Law, for California
Parlor Car Tours, Inc. and Greyhound Lines, Inc.,
and T. H. May, for California Parlor Car Tours,
Inc., protestants.
H. T. Dotson, for Yosemite Park and Curry Company,
interested party.
Masaru Matsumura, for the Commission staff.

O P I N I O N

By this application, San Francisco-Yosemite Tours, Inc. requests a certificate of public convenience and necessity to operate as a passenger stage corporation. The specific authority it requests is to provide a one-day round-trip sightseeing service between San Francisco and Yosemite National Park (Yosemite) in conjunction with Yosemite Park and Curry Company (Curry). Passengers would be picked up anywhere in San Francisco. Applicant would operate only between San Francisco and Merced, and this is the segment for which it requests a certificate. Curry holds a passenger stage corporation certificate to operate between Merced and Yosemite and exclusive authority from the National Park Service to operate within Yosemite, and the physical transportation of

passengers from Merced into and within Yosemite and back to Merced would be by applicant's vehicles being operated by Curry under a trip-lease agreement approved by the National Park Service. Service would be provided in minibuses only with less than 15-passenger seating capacity and a gross weight of under 7,000 pounds. The tour would leave San Francisco between 7:00 and 8:00 a.m. and return between 8:00 and 9:00 p.m., and the schedule would be daily, seven days a week. Advance reservations would be required by 5:00 p.m. the previous day, and applicant would reserve the right to cancel a tour if there were less than five reservations by that time. The proposed fares, which are subject to revision should costs increase, are \$50 for adults, \$25 for children 5 to 12 years of age, and \$18 for children under 5 years of age. Approximately four hours would be spent in Yosemite for sightseeing and lunch, which is included in the tour. To the extent possible, multilingual service would be provided for the passengers when appropriate. Brochures for the tour would be printed in 10 languages and mailed or delivered to travel agents.

The application was protested by California Parlor Car Tours, Inc. (Parlor) and Greyhound Lines, Inc. (Greyhound). Eastshore Lines (Eastshore), Falcon Charter Lines (Falcon), and several operators in the tour business supported the application.

Public hearing was held before Administrative Law Judge Arthur M. Mooney in San Francisco on May 13 and June 24, 1977. The matter was submitted upon the filing of briefs which have been received.

Applicant

Richard Kline is the president and major stockholder of applicant, and George Keeling holds the remainder of the stock and is its vice president, dispatcher, and driver supervisor. Mary Kline is applicant's treasurer, Mary Tisher is its secretary, and Ruth Keeling will assist in the office when necessary. According to Exhibit 3, applicant presently has assets and a shareholders' equity of \$5,000 and no

liabilities. An additional \$10,000 will be invested in the company by the president and vice president prior to the commencement of operations, and each testified that he can raise additional capital as needed.

Both the president and vice president have had considerable experience in driving full-size passenger buses in charter and sight-seeing services, including numerous one-day, lectured sightseeing trips to Yosemite. Many of the Yosemite trips were for Japanese and other foreign nationality groups visiting this country and interpreters were furnished for such groups. In this connection, the vice president testified that (1) the groups were informed that a one-day Yosemite tour from San Francisco and return is a long, strenuous tour; (2) the customers replied that this may be the only opportunity they would ever have to see Yosemite, and they considered the trip worthwhile; (3) the average time for these tours with rest stops, lunch, and two to two and a half hours' sightseeing in Yosemite has been 12 hours; and (4) it is his observation that those who have taken these tours have enjoyed them.

The president has had his own travel agency, Cal-Tours, for the past seven years. It arranges tours for senior citizens and other groups, including tours to Yosemite, and it is located in the same building as applicant but has a different address and is a completely independent company. The president is also engaged in other business enterprises that are unrelated to travel and sightseeing.

The vice president holds Charter-party Carrier of Passengers Permit No. TCP-729-P and is the owner of a 14-passenger van. He would lease this vehicle to applicant to initially provide the sought service.

The route applicant proposes to operate over would be from San Francisco to Merced via Interstate Highway 80 across the San Francisco-Oakland Bay Bridge to Oakland, thence south and eastward via Interstate Highway 580 to its intersection with State Highway 132 near Vernalis, thence eastward on State Highway 132 to Modesto, and thence via State Highway 99 to Curry's terminal in Merced. The return to San Francisco would be by the reverse of the same route. With respect

to the Merced-Yosemite segment of the town, the president testified that (1) he has discussed the proposed joint operation with the vice president of Curry several times and has received a letter from him (Exhibit 7) stating that in the event the application is granted, Curry will provide the transportation from Merced into and within Yosemite and return with applicant's equipment utilizing either applicant's or its drivers on a trip-lease arrangement that would be consistent with the requirements of the Commission and the National Park Service; (2) it has not been completely finalized as to whether applicant's or Curry's equipment would be used for the Merced-Yosemite segment; (3) if a second minibus is needed, it would be acquired, and if the demand for seats were sufficient, applicant would then request authority from the Commission to use larger vans with a passenger-seating capacity of 20-22 or mid-size buses with a passenger-seating capacity of 22-28; (4) the reason for the five-passenger minimum to operate a tour is that this number is required to break even, and trips with more than five passengers would be profitable; and (5) while the details of the tour in Yosemite have not been completed with Curry, it would start at the Arch Rock entrance and include Bridal Veil Falls for a view of the valley and certain other points of interest, but it would not include Glacier Point, Badger Pass, Mariposa Grove, or Wawona.

Following is a summary of the testimony by the president and vice president regarding the proposed service and estimated time schedule for the trip: After picking up passengers, the tour would leave San Francisco at 8:00 a.m., arrive at Vernalis at 9:30 a.m. for a 20-minute rest stop, arrive at Curry's Merced terminal at 10:50 a.m. and leave 15 minutes later, arrive at Yosemite at 1:20 p.m. and leave at 4:40 p.m. with 40 minutes to an hour for lunch and approximately two and a half hours for sightseeing, arrive back at Merced at 6:20 p.m. and stop approximately an hour for dinner, which is not included in the fare, and arrive back at San Francisco by 10:00 p.m. The return trip from Yosemite to Merced is downhill and requires less time than the inbound trip. The one-way distance between San Francisco and Merced is 129 miles, and the

round-trip San Francisco-Yosemite distance is approximately 429 miles. The driving time for the entire round trip would be nine and a half to nine and three quarters hours. Safety regulations provide that an employee cannot drive more than 10 out of 16 hours. If Curry were to use applicant's driver and not its own on the Merced-Yosemite leg of the tour, it might, therefore, be necessary to provide a second driver for pickup and delivery of passengers from and to their motels in San Francisco or any other driving that exceeded the allowable hours. Applicant will abide by all applicable maximum hours for drivers' regulations and with the insurance requirements of the Commission. The actual schedule, once service commences, will be as close to 12 hours as possible.

The president stated that he was informed by protestant Parlor's tour office at the Jack Tar Hotel in San Francisco that Parlor has no one-day sightseeing service to Yosemite. He pointed out that according to Parlor's tour brochure (Attachment A to Exhibit 1), it operates only one three-day sightseeing trip from the Jack Tar Hotel in San Francisco to Yosemite and return, and the other tours it has involving Yosemite are multiday trips in either direction between San Francisco and Los Angeles. The witness asserted that although there is passenger service by air and rail and by protestant Greyhound and Continental Trailways between San Francisco and Merced, it is not practical, if even possible, for a person using the facilities of any of them to make a one-day round-trip sightseeing trip from San Francisco to Yosemite and return.

The president set forth the following reasons as justification for the granting of the sought authority: There is a public need for the proposed year-round service. Yosemite is a beautiful, unique tourist attraction any time of the year. Many visitors to San Francisco on vacations, business, or conventions are on a very limited time schedule. Substantial numbers of such visitors desire to visit Yosemite but do not have the time available to take a multiday tour and can allocate only one day for this. Those in large groups can charter a

full-size bus for the one-day tour; however, this would not be a practical means for the many individuals, families, and small groups, and applicant's individual fare service is designed for them. For such visitors who may not return to San Francisco, applicant's proposed service would make available to them a once-in-a-lifetime opportunity to experience the grandeur of Yosemite. No one else operates a similar minibus service exclusively to Yosemite. The proposed service would be profitable.

The president of Eastshore which has employed applicant's president as a part-time driver over the years, the president of Falcon which has employed applicant's vice president as a driver for many years, the operator of TCI American Tours, Inc., and a travel agent with Travel Plus each presented similar testimony to that of applicant regarding the public need for the proposed one-day per capita service for the many foreign and domestic visitors on tight schedules. Additionally, the witnesses for Eastshore and Falcon testified that (1) their respective companies are in the charter business and operate a fleet of full-size buses; (2) although neither operates sightseeing tours, both have provided many one-day charters to Yosemite for tour operators for this purpose; and (3) most of this service is during the mid-year period.

Protestants

Evidence on behalf of protestants was presented by the Senior Director of Traffic of Greyhound, the vice president and general manager of Parlor, the San Francisco marketing manager of Delta Air Lines, and representatives of four travel businesses.

The following evidence was presented by the Greyhound witness: Greyhound has extensive intrastate passenger stage operating authority, including authority to serve between San Francisco and Merced. It operates numerous schedules every day of the week between these two points. Greyhound does not have authority to operate between Merced and Yosemite. This service is provided by Curry. Greyhound publishes Curry's schedule in its timetables as a courtesy to its customers. As shown in the timetables in Exhibits 10 and 11, a passenger can travel on

Greyhound from San Francisco to Merced, leaving at 9:45 a.m. and arriving at 1:35 p.m., and connect with a Curry bus that would arrive in Yosemite at 4:45 p.m. There are other public means of transportation, including bus, rail, and air, between San Francisco and Fresno. If it should be determined that public convenience and necessity require additional service into Yosemite, the Commission should direct Curry to provide more service. Greyhound sells through tickets to Yosemite as a service to the public, and it distributes to the public brochures showing three-day tours from San Francisco to Yosemite and return, including accommodations and meals. Greyhound has 1,658 intercity buses licensed in California, all of which may not be in California at the same time. The investment in this equipment is substantial. All have restrooms and a passenger capacity of 38, unless modified for passenger and express service. The van applicant proposes to use does not have a restroom. In addition to equipment costs, Greyhound also has substantial labor costs. Its operating ratio for California intrastate service is only 98 percent. It is likely applicant would have problems with the maximum hours for drivers if it were authorized to provide the proposed service. There is adequate existing service to Yosemite and no need for the proposed service.

The witness for Parlor presented the following evidence: Parlor was established in 1924 and holds certificated authority to provide various sightseeing services to many locations in California. It also provides some service to Nevada. It is now a wholly owned subsidiary of Greyhound. Its California operations have been and continue to be profitable. Parlor offers three- and five-day sightseeing tours in either direction between San Francisco and Los Angeles, which include Yosemite. It also offers three-day round-trip sightseeing tours from San Francisco and from Monterey to Yosemite. It transports a substantial number of passengers on these Yosemite tours. It does not pick up passengers at hotels and motels in San Francisco. Parlor has approximately 30 full-time employees and hires 45 drivers and office personnel from mid-April to late October. It has 42 full-size, air-conditioned buses with restrooms assigned to it by Greyhound which will furnish it

with additional similar equipment when needed. Parlor distributes each year through travel agents and mail and telephone requests about 400,000 brochures which describe its various sightseeing tours. The tours are first-class for the customer who wants everything assured and include accommodations and meals. The drivers on the tours narrate points of interest, see to it that accommodations are adequate, and, in general, make sure that everything is taken care of for the customers. The distances between the major points of interest in Yosemite are as much as 40 miles. At least one full day is necessary to see them. Parlor's tour is designed for this and allows at least eight hours for sightseeing, including lunch and a walk around. Anything less for a visitor from San Francisco is not worthwhile. While Parlor has had a few requests for one-day Yosemite tours and could, by using a relief driver, provide such a tour, a one-day tour would actually be little more than a long ride to Yosemite and return. Applicant's proposed tour does not allow anywhere near enough time to see Yosemite. The application should be denied.

The representatives of Delta Air Lines, Farroads Travel, Mainstream Tours, Nob Hill Travel, and Burten Travel of Baltimore all testified that the one-day service proposed by applicant does not have sales appeal, and they would not be interested in handling such a tour. Generally, they stated that (1) to be successful, a tour requires some scenic attraction plus leisure time; (2) applicant's proposed single-day tour requires too much time and distance and is too tiring for the limited amount of sightseeing involved; (3) the only thing people would remember about such a tour is the length of the trip; (4) they want their clients to be satisfied so they will continue to be clients and recommend their services to others; (5) for these reasons, they would not recommend the proposed tour; and (6) Parlor has excellent tours to Yosemite with ample time for sightseeing and leisure.

The attorney for Greyhound and Parlor in his closing brief urged that the application be denied. In support of his argument, he asserted that (1) the evidence presented by applicant is vague and does not support a finding that public convenience and necessity require the proposed one-day service; (2) applicant has failed to show that the existing per capita service by Greyhound in conjunction with Curry and the more leisurely service by Parlor is not adequate and satisfactory as required by Section 1032 of the Public Utilities Code; and (3) the use of one driver throughout the proposed trip could result in possible violations of applicable maximum hours of service regulations.

Staff

The staff cross-examined witnesses and filed a closing brief. It presented no evidence. In its brief it recommended that the application be denied. In addition to questioning applicant's financial ability to provide the proposed service, its argument was similar to that set forth in protestants' brief.

Discussion

We have in several recent decisions discussed certain issues to be considered in connection with applications for sightseeing authority. These are discussed at pages 18 and 19 of the mimeograph copy of our decision in In re Mexcursions, Inc. (Decision No. 90155 dated April 10, 1979 in Application No. 57763) wherein we stated as follows:

"The threshold issue in any sightseeing bus application is always whether or not public convenience and necessity require the particular service sought to be authorized by that application (See Public Utilities Code Section 1031). If it can be demonstrated that public convenience and necessity require it, a certificate may be issued, provided that, in those instances where a certificate holder or holders are already serving the territory, holder or holders will not provide service to the satisfaction of the Commission (See Public Utilities Code Section 1032). Traditionally, the satisfactory service test of existing carriers has been based on the relatively narrow analysis of factors such as route patterns, service frequency, adequacy of equipment, and the fitness of the applicant. There are, however, other significant underlying factors which in our opinion, have not received enough attention. For example, is monopoly service of itself unsatisfactory service to the public?

"This nation's antitrust laws and policies are premised on the understanding that competitive service generally results in a superior overall level of service to the public. Competition tends to bring out the highest degree of effort and imagination in a business endeavor to the benefit of the public. In the area of sight-seeing bus operations, competition will have a direct bearing on the quality of overall treatment afforded passengers, rates, scheduling, equipment condition, and operational innovation generally. California needs an influx of vigorous, innovative thinking and application if publicly acceptable alternatives to private auto-use are to fully develop. We state now that competition in the area of sightseeing bus operations is a most desirable goal.

"We are dealing here with sightseeing service. This class of service, unlike the traditional common carrier passenger stage operation is essentially a luxury service, recreationally oriented and essentially different from the conventional point-to-point public transportation service, and therefore it is a service less imbued with that essentiality to the public welfare which we usually hold inherent in the underlying concept of public convenience and necessity. Accordingly, it is a service less entitled to the strict territorial protectionism from competition and competitive factors which necessarily is accorded the 'natural' utility monopolies such as electric, gas, or telephone utilities." (For a further discussion of these issues, see In re O'Connor Limousine Service, Inc., Decision No. 90154 dated April 10, 1979 in Application No. 56580.)

The service applicant proposes herein is a sightseeing service in conjunction with Curry from San Francisco to and within Yosemite and return, including the pickup and return of passengers from and to their respective hotels and motels in San Francisco. Curry would provide the Merced-Yosemite leg for which it holds all necessary authority. Applicant would provide the San Francisco-Merced leg, and this is the authorization it seeks.

We recognize that the number of witnesses presented by applicant were relatively few in number and, as a result thereof, the evidence regarding a public need for the proposed service is not extensive. Nonetheless, according to this evidence, there are many domestic and foreign visitors to San Francisco who, for various reasons, would use applicant's one-day per capita sightseeing service to Yosemite if it were available. We are of the opinion that, based on the particular facts and circumstances herein, it has been sufficiently established that public convenience and necessity require the proposed service.

As is clearly established by the evidence, the service proposed by applicant differs substantially from that provided by either protestant. Applicant's service would be restricted to minibuses, whereas both protestants use full-size buses only. Parlor offers only multi-day tours to Yosemite, whereas applicant would offer only a one-day round trip. While, as pointed out by Greyhound, it is possible for a passenger to travel on an individual fare basis from San Francisco to Merced via Greyhound and thence to Yosemite via Curry, a second day would be required for the return trip, and in any event, this would not be the type of sightseeing trip proposed by applicant. Also, applicant would make arrangements for interpreters for foreign visitors which Greyhound does not do. It is obviously not the intent of Section 1032 of the Public Utilities Code to restrict the granting of a certificate for passenger sightseeing service in the same territory served by other certificate holders when the proposed service differs substantially from that provided by the other carriers.

As pointed out by the protestants and the staff, it is questionable as to whether the proposed trip could be completed in its entirety by a single driver within the applicable maximum driving limit of 10 out of 16 hours. However, applicant is aware of this and stated that if the Merced-Yosemite leg is driven by Curry's and not applicant's driver, this would not be a problem and that, in any event, an additional driver would be available where necessary to assure compliance with the the maximum driving hours regulations. Also, it is apparent that the

proposed one-day sightseeing trip would be long and could be somewhat tiring for passengers and that there would be only a few hours for sightseeing in Yosemite. However, as pointed out by applicant, there are many visitors from distant parts of the country and foreign lands who have only a day available for this and are not part of a large enough group to charter a bus, and applicant's service would give them an opportunity to spend some time in Yosemite and see many of its sights.

While applicant's capital is only \$5,000, an additional \$10,000 will be invested by its shareholders when the application is granted, and they have stated that they will advance additional funds as needed. Both the president and vice president have had substantial experience in the passenger transportation field. Based on the record before us, we are of the opinion that the proposed authority should be granted.

One last matter requiring comment is that J. Mark Lavelle, doing business as Dolphin Tours, and San Francisco Bay Tours, Inc., were each granted certificates to operate a passenger sightseeing service conducted in the Japanese language only, from San Francisco to numerous places of interest, including a one-day sightseeing trip to Yosemite, by the same Decision No. 89731 dated December 12, 1978 in Applications Nos. 57596, 57613, and 57836. The certificate to be granted below to applicant will not be so restricted to the Japanese language only and also will not exclude tours in this language. It is noted that the certificates granted to the two aforementioned carriers have no restrictions as to equipment size. Should applicant conduct a tour to Yosemite in the Japanese language, theoretically it would be competing with them. However, as pointed out above, sightseeing service is less entitled to the strict territorial protection from competition and competitive factors than other particular utilities. In any event, the limited competition that might occur here is speculative.

Because the tourist season is now commencing, the order which follows will be made effective the date of issuance.

Findings

1. Applicant proposes to conduct a daily one-day round-trip per capita sightseeing tour in minibus equipment with a passenger seating capacity of under 15 and a gross weight of under 7,000 pounds from San Francisco to and within Yosemite in conjunction with Curry. Passengers would be picked up anywhere in San Francisco and returned to the same location. Applicant would provide service on the San Francisco-Merced segment for which it seeks a passenger stage certificate, and Curry would provide service on the Merced-Yosemite segment for which it holds a passenger stage certificate.

2. The one-day sightseeing tour proposed by applicant differs from the multiday Yosemite sightseeing tours offered by Parlor and from the passenger stage service provided by Greyhound.

3. Both J. Mark Lavelle, doing business as Dolphin Tours, and San Francisco Bay Tours, Inc. have each been authorized to operate sightseeing trips in the Japanese language only from San Francisco to numerous points of interest, including a same day round-trip tour to Yosemite. Applicant does not propose to restrict its service to Japanese language tours only; however, it would, to the extent possible, furnish an interpreter for passengers from any foreign nation, including Japan. The competitive threat of applicant's proposed service to these two existing sightseeing companies would not be substantial and, for the most part, is nothing more than speculative.

4. Competition between applicant and the existing certificated passenger stages under regulation will be in the public interest in that it will lead to the development of the territory served by such passenger stages and will promote good service and hold down fares.

(In re Mexcursions, Inc., supra.)

5. Applicant is ready, willing, and able to provide the service it proposes.

6. Applicant has demonstrated that public convenience and necessity require the proposed service.

7. Applicant's proposal to reserve the right to cancel a trip if there are less than five reservations is reasonable.

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

Conclusions

1. Applicant should be granted a certificate of public convenience and necessity to operate the proposed sightseeing service as provided in the order which follows.

2. Because the summer tourist season is about to begin, the order which follows should be made effective on the date it is signed, and tariffs and timetables should be authorized to be filed not earlier than the effective date of the order on not less than five days' notice.

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 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 San Francisco-Yosemite Tours, Inc. 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.

2. 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 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.
- (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 is the date hereof.

Dated at San Francisco, California, this 22nd day of MAY, 1979.

John E. Coyne
President

Raymond L. Stinson

Richard D. Howell

Raymond R. [Signature]
Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION

PSC - 1075

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. _____,
dated _____ of the Public Utilities
Commission of the State of California, in Application No. 57152

San Francisco-Yosemite Tours, Inc.

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

San Francisco-Yosemite Tours, Inc., a California corporation, by the Certificate of Public Convenience and Necessity to operate as a passenger stage corporation granted by the decision noted in the margin, is authorized to transport passengers for sightseeing between the City and County of San Francisco, on the one hand, via San Francisco-Oakland Bay Bridge (Interstate Highway 80), Interstate Highway 580, California Highways 132 and 99, and to the Yosemite Park & Curry Company facility in Merced, on the other hand, subject however, to the authority of this Commission to change or modify said route at any time and subject to the following provisions:

- a. Service herein authorized shall be limited to the transportation of single-day, round trip passengers only.
- b. Scheduled daily service shall be provided, including weekdays, weekends and holidays.
- c. Carrier reserves the right not to operate in the event that there are less than five (5) reservations by 5:00 p.m. on the day preceding a tour.
- d. Carrier shall not transport any baggage except hand-carried items of the passengers.
- e. Service shall be provided using only mini-buses with a seating capacity of under 15 passengers and with a gross weight of under 7,000 pounds.

Issued by California Public Utilities Commission.

Decision No. _____, Application No. 57152.