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MAY 22 1979

Decision No. 90353**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of William C. Howell, doing)
business as ALL-CAL TOURS, for)
certificate of public convenience)
and necessity to operate as a)
passenger stage corporation for)
round trip, on call service)
between Santa Rosa, California,)
and Oakland International Air-)
port, with intermediate stops at)
Rohnert Park and Petaluma.

Application No. 58685
(Filed February 16, 1979)

O P I N I O N

William C. Howell, an individual doing business as All-Cal Tours, applicant, operates as a passenger stage corporation (PSC-1026) under the authority granted by Decision 88276 dated December 20, 1977 in Application 57098, and also as a Charter Party Carrier of Passengers under the authority of a Class A Certificate (TCP-117A).

By the instant application, applicant requests that his passenger stage operating authority be extended to enable him to establish and operate "On-Call" passenger stage service from Santa Rosa (and intermediate points) to Oakland International Airport. At the present time, there are no carriers authorized to provide such service.

Applicant's balance sheet, dated December 1977 and attached to the application, shows assets and liabilities of \$216,886 of which \$68,823 is owner's equity.

Applicant has available equipment which he is willing to use in this service.

The filing of the application was included in the Commission's Daily Calendar of February 21, 1979. Copies of the application were mailed to the appropriate governmental agencies on March 29, 1979.

The Transportation Division staff recommends that the application be granted ex parte if no protests are received. No protests have been received. A public hearing is not necessary.

The Commission finds that:

1. Applicant is ready, willing and able to provide passenger stage service over the routes described in the application.
2. Applicant possesses the equipment, personnel and financial resources to institute and maintain the proposed service.
3. Public convenience and necessity require that the application be granted.
4. It can be seen with certainty that there is no possibility that the project involved in this proceeding may have a significant effect on the environment.

The Commission concludes that the application should be granted as provided in the following order.

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. The certificate of public convenience and necessity (PSC-1026) granted to William C. Howell, doing business as All-Cal Tours, authorizing him to operate as a Passenger Stage Corporation, as defined in Section 226 of the Public Utilities Code, over the routes set forth in Appendix A of Decision 88276 is amended by First Revised Page 2, First Revised Page 3, First Revised Page 12, Original Page 3-A and Original Page 13 as included as 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 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 five days after the effective date of this order on not less than five days' notice to the Commission and to 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 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 its operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

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

Dated at San Francisco, California, this 22nd day of MAY 4, 1979.

John E. Guyer President
Vernon L. Sturgeon
Robert D. Gavelle
Lawrence R. ... Commissioners

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

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Issued by California Public Utilities Commission.

*Added by Decision No. 90353, Application No. 58685.

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

William C. Howell, dba All-Cal Tours, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage *from Santa Rosa, Rohnert Park and Petaluma to Oakland International *Airport (Airport Service) and for sightseeing or pleasure tour purposes originating and terminating at any of the points listed on Section 2 on the one hand and various points of interest on the tours hereinafter described (Sightseeing Service) on the other hand, subject, however, to the authority of this Commission to change or modify said points or tour routes at any time and subject to the following provisions:

- *1. Provisions applicable to Sightseeing Service only:
- (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 at one or more of the authorized points and shall be operated on an "on-call" basis.
 - (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 except for stops for sightseeing, meals and lodging.
 - (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; tariffs shall define and include the charges for such accessorial services.
 - (f) Tours 5, 6, 7 or 11 shall not originate or terminate within the City of Santa Rosa.
- *2. Provisions applicable to Airport Service only:
- *[g] When route descriptions are given in the direction, they apply to operation in either direction unless otherwise indicated.

Issued by California Public Utilities Commission.

*Revised by Decision 90353, Application 58685.

- (h) Services herein authorized shall be limited to transportation of persons with origin or destination at Oakland International Airport.
- (i) No service may be rendered between intermediate points.
- (j) Passengers will be boarded and/or discharged only at the Oakland International Airport and at the points specified as "pick-up points" in the route description.
- (k) Service to be operated on an "on-call" basis.

The term "on-call" as used herein refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.

Issued by California Public Utilities Commission.

Added by Decision 90353, Application 58685.

Appendix A
(Dec. 88276)

William C. Howell
dba
ALL-CAL TOURS

First Revised Page 12
Cancels
Original Page 12

TOUR NO. 23 -- MT. SHASTA (Siskiyou County)

Commencing from any of the points listed in Section 2, thence via the most appropriate route to Highway 29, thence via Highway 29, Highway 53 and Highway 20 and Interstate Highway 5 to the City of Mt. Shasta.

Second day: Touring of various points of interest in the vicinity of the City of Mt. Shasta in Siskiyou County.

Third day: Commencing from the City of Mt. Shasta, thence via the most appropriate route to the original point or points of embarkation.

TOUR NO. 24 -- SACRAMENTO BOAT EXCURSION

Commencing from any of the points listed in Section 2, thence via the most appropriate route to Interstate Highway 80, thence via Interstate Highway 80 to Sacramento, thence via any vessel common carrier authorized to provide such service to San Francisco. Commencing from San Francisco via U.S. Highway 101 and the most appropriate route to the original point or points of embarkation.

The reverse of the above route is also authorized.

*SECTION 4. AUTHORIZED AIRPORT SERVICE ROUTE DESCRIPTION

*Route 1: Santa Rosa/Rohnert Park/Petaluma -- Oakland International Airport

Commencing at 555 Coddington Center (pick-up point) in Santa Rosa thence by the appropriate streets to U.S. Highway 101, thence via U.S. Highway 101 (Redwood Highway) to State Highway 17, thence via State Highway 17 to Interstate Highway 80 (Eastshore Freeway), thence via Interstate Highway 80 to State Highway 17 (Nimitz Freeway), thence via State Highway 17 to Hegenberger Road, thence via Hegenberger Road to Airport Drive thence via Airport Drive to the Oakland International Airport.

Issued by California Public Utilities Commission.

*Added by Decision 90353, Application 58685.

Alternate Route: For purposes of providing service to Rohnert Park departure from U.S. Highway 101 (Redwood Highway) on Rohnert Park Expressway to the intersection of Rohnert Park Expressway and Commerce Boulevard (pick-up point) in the City of Rohnert Park thence return via Rohnert Park Expressway to U.S. Highway 101.

For purposes of providing service to Petaluma departure from U.S. Highway 101 (Redwood Highway) at Washington Street thence via Washington Street, and the appropriate city streets to the intersection of Fourth Street and "C" Streets (pick-up point) in the City of Petaluma thence via the appropriate city streets and Washington Street to U.S. Highway 101.

END OF CERTIFICATE

Issued by California Public Utilities Commission.

Added by Decision 90353, Application 58685.