

Decision No. 91147 : DEC 18 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the application)
of WILLIAM C. HOWELL, doing)
business as ALL-CAL TOURS, for)
transfer of its existing Pas-)
senger Stage Authority to ALL-CAL)
TOURS, INCORPORATED: and ALL-CAL)
TOURS, INCORPORATED for authority)
to issue stock.)

Application No. 59065
(Filed in August 13, 1979)

O P I N I O N

William Curtis Howell, doing business as All-Cal Tours, requests authority to transfer his Certificate of Public Convenience and Necessity to operate as a passenger stage corporation and certain related assets to All-Cal Tours, Inc., a California corporation, and the latter seeks authorization to issue 5,000 shares of common stock to William Curtis Howell and Betty L. Howell in exchange for the business valued at \$50,000 including net equity in bus equipment.

By Decisions 88276 and 90353 William Curtis Howell was issued a Certificate of Public Convenience and Necessity to operate as a passenger stage corporation (PSC 1026) between certain points in the counties of Napa, Sonoma and Marin, on the one hand, and certain points in California, on the other hand, for sightseeing or pleasure tour purposes and between Santa Rosa, Rohnert Park and Petaluma, on the one hand, and Oakland International Airport, on the other hand, respectively.

Applicant proposes to transfer his authority and related assets to All-Cal Tours, Inc., as he has determined that it would be to his interest and his business to conduct the service as a corporation.

The application was listed on the Commission's Daily Calendar of August 15, 1979. 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.

After consideration, the Commission finds that:

1. The proposed transactions would not be adverse to the public interest.
2. The proposed stock issue would be for a proper purpose.
3. The money, property or labor to be procured or paid for by the stock herein authorized is reasonably required for the purpose specified herein, which purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income.

On the basis of the foregoing findings, the Commission concludes that the proposed transfer should be authorized. A public hearing is not necessary. The order which follows will provide for, in the event the transfer is completed, the revocation of the certificate presently held by William C. Howell, an individual doing business as All-Cal Tours, and the issuance of a certificate in appendix form to All-Cal Tours, Inc.

All-Cal Tours, Inc., 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. The authorization herein granted shall not be construed as a finding of the value of the rights and properties authorized to be transferred.

O R D E R

IT IS ORDERED that:

1. On or before March 1, 1980, William C. Howell, an individual doing business as All-Cal Tours, may sell and transfer the operative rights and other assets referred to in the application to All-Cal Tours, Inc.
2. Within thirty days after the transfer All-Cal Tours, Inc., shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of transfer.

3. All-Cal Tours, Inc., shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations transferred to show that it has adopted or established, as its own, the rates and rules. The tariff and timetable filings shall be made effective not earlier than five days after the 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 transfer. The tariff and timetable filings made pursuant to this order shall comply in all respects 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. Failure to comply with the provisions of General Orders Nos. 79-Series and 98-Series may result in a cancellation of the operating authority granted by this decision.

4. In the event the transfer authorized in Paragraph 1 is completed, effective concurrently with the effective date of the tariff filings required by Paragraph 3, a Certificate of Public Convenience and Necessity is granted to All-Cal 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 as set forth in Appendix A of this decision.

5. All-Cal Tours, Inc., on or after the effective date hereof and on or before March 1, 1980, may issue not exceeding 5,000 shares of its common stock in exchange for assets totaling \$50,000.

6. All-Cal Tours, Inc., shall file with the Commission the reports required by General Order No. 24-B, which order, insofar as applicable, is hereby made a part of this order.

7. The Certificates of Public Convenience and Necessity granted by Decisions Nos. 88276 and 90353 are revoked effective concurrently with the effective date of the tariff filings required by Paragraph 3.

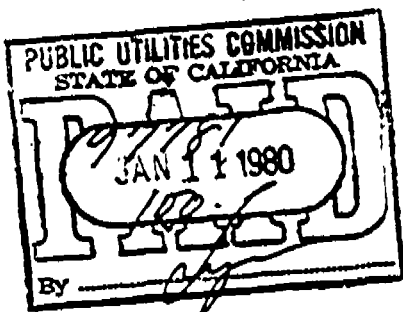
8. All-Cal Tours, Inc., shall comply with the safety rules administered by the California Highway Patrol, the rules and regulations of the Commission's General Order No. 98-Series, and the insurance requirements of the Commission's General Order No. 101-Series.

9. All-Cal Tours, Inc., 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.

10. The authority granted by this order to issue stock will become effective when All-Cal Tours, Inc., has paid the fee prescribed by Section 1904.1 of the Public Utilities Code, which fee is \$100. In all other respects the effective date of this order shall be thirty days after the date hereof.

Dated DEC 18 1979, at San Francisco, California.

John E. Bryan President
James L. Peterson
Robert H. Lovell
Charles J. Friedrich
Lennard W. Sperry Commissioners



CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

PSC-1026

TO OPERATE AS

A PASSENGER STAGE CORPORATION

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 91147
dated DEC 18 1979 of the Public Utilities Commission
of the State of California, in Application 59065.

		<u>INDEX</u>	<u>Page No.</u>
SECTION 1.	GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS AND SPECIFICATIONS.....		2, 3
SECTION 2.	AUTHORIZED POINTS OF ORIGIN/TERMINATION..		4
SECTION 3.	AUTHORIZED TOUR DESCRIPTION		
	<u>Tour</u>	<u>Tour Name</u>	
	1.	Eureka (Redwoods)	5
	2.	Willits, Fort Bragg (Skunk Train)	5
	3.	Lake Tahoe-North Shore	5
	4.	Lake Tahoe-South Shore	6
	5.	Sacramento	6
	6.	Gold Country - Yosemite	6
	7.	Wine Country Tour	7
	8.	Golden Fields (Albany)	7
	9.	Oakland	7
	10.	SF Wine & Dine Tour	7
	11.	Candlestick Park (SF)	8
	12.	Circle Star Theater (San Carlos)	8
	13.	Marine World (Redwood City)	8
	14.	Bay Meadows (San Mateo)	8
	15.	Great America (Santa Clara)	9
	16.	Oakland Coliseum	9
	17.	Hearst Castle (San Simeon)	9
	18.	Solvang	9
	19.	Death Valley	10
	20.	Anaheim/Los Angeles (Disneyland, Knotts Berry Farm)	10
	21.	Santa Barbara & Indio	11
	22.	Los Angeles & San Diego	11
	23.	Mt. Shasta (Siskiyou County)	12
	24.	Sacramento Boat Excursion	12
SECTION 4.	AUTHORIZED AIRPORT SERVICE ROUTE DESCRIPTION		¹³ 12 //

Issued by California Public Utilities Commission.

Decision No. 91147, Application No. 59065.

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

The Certificate hereinafter noted supersedes all operative authority heretofore granted to William C. Howell, doing business as All-Cal Tours, or its predecessors.

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.

Issued by California Public Utilities Commission.

Decision No. 91147, Application No. 59065.

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.
- (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.

Decision No. 91147, Application No. 59065.

SECTION 2. AUTHORIZED POINTS OF ORIGIN/TERMINATION

All tours shall originate and terminate within one or more of the following locations:

<u>Location</u>	<u>County</u>
<u>Incorporated Cities</u>	
Calistoga	Napa
Cloverdale	Sonoma
Corte Madera	Marin
Cotati	Sonoma
Healdsburg	Sonoma
Lakeport	Lake
Petaluma	Sonoma
Rohnert Park	Sonoma
San Rafael	Marin
Santa Rosa	Sonoma
Sonoma	Sonoma
<u>Unincorporated Communities</u>	
Clearlake Highlands	Lake
Forestville	Sonoma
Geyserville	Sonoma
Guerneville	Sonoma
Windsor	Sonoma
<u>Other Locations</u>	
Country Mobile Country Club, 1180 Fulton Road	Sonoma
Colonial Park Mobile Home Estates, 5645 Old Redwood Highway	Sonoma
Sequoia Gardens, 433 Fulton Rd.	Sonoma

Issued by California Public Utilities Commission.

Decision 91147, Application No. 59065

SECTION 3. AUTHORIZED TOUR DESCRIPTIONS

TOUR NO. 1 -- EUREKA (TOUR OF THE REDWOODS)

Commencing from any of the points listed in Section 2, thence via the appropriate route and U.S. Highway 101 to Garberville with stops at various points of interest.

Second day: Guided tour of the Redwoods to Ferndale, stopping at various points of interest and thence to Eureka.

Third day: Visit and tour various points of interest in and around Eureka. Thence return by most appropriate route to Highway 101, thence via U.S. Highway 101 and appropriate route to the original point or points of embarkation.

TOUR NO. 2 -- WILLITS, FORT BRAGG (Skunk Train)

Commencing from any of the points listed in Section 2, thence via the appropriate route and U.S. Highway 101 to Willits, thence via California Western Railroad (Skunk Train) to Fort Bragg.

Second day: Touring of various points of interest in Fort Bragg, thence return via Highway 20, U.S. Highway 101 and the appropriate route to the original point or points of embarkation.

TOUR NO. 3 -- LAKE TAHOE - North Shore

Commencing from any of the points listed in Section 2, thence via the appropriate route and U.S. Highway 37, Highway 80, Highway 89, Highway 28, to the community of Brockway.

Second day: Commencing from the community of Brockway via Highway 28, Highway 267, Interstate Highway 80, Highway 37 and the most appropriate route to the original point or points of embarkation.

Issued by California Public Utilities Commission.

Decision 91147, Application No. 59065

TOUR NO. 4 -- LAKE TAHOE - South Shore

Commencing from any of the points listed in Section 2, thence via the appropriate route and Highway 37, Interstate Highway 80, Highway 50 to the community of Stateline, California.

Second day: Commencing from the community of Stateline via Highway 50, Interstate U.S. Highway 80, Highway 37 and the appropriate route to the original point or points of embarkation.

TOUR NO. 5 -- SACRAMENTO

Commencing from any of the points listed in Section 2, except Santa Rosa, thence via the appropriate route for a day of touring Sacramento with stops at various points of interest, thence return by the most appropriate route to the original point or points of embarkation.

TOUR NO. 6 -- GOLD COUNTRY - YOSEMITE

Commencing from any of the points listed in Section 2, except Santa Rosa, thence via the most appropriate route to State Highway 12, thence via State Highway 49 to Angels Camp, Columbia State Park and Sonora.

Second day: Guided tour commencing from Sonora via State Highway 49 to State Highway 140 to Yosemite National Park, thence via State Highway 140 to Gustine, thence via Interstate Highway 5 and most appropriate route to the original point or points of embarkation.

Issued by California Public Utilities Commission.

Decision 91147, Application No. 59065

TOUR NO. 7 -- WINE COUNTRY TOUR

Commencing from any of the points listed in Section 2, except Santa Rosa, thence via the appropriate route to various wineries and points of interest in Sonoma, Napa, or Mendocino Counties, thence returning via the most appropriate route to the original point or points of embarkation.

TOUR NO. 8 -- GOLDEN GATE FIELDS (Albany)

Commencing from any of the points listed in Section 2, thence via the most appropriate route to Golden Gate Fields in Albany, California. Thence returning via the most appropriate route to the original point or points of embarkation.

TOUR NO. 9 -- OAKLAND

Commencing from any of the points listed in Section 2, thence via the most appropriate route to Oakland to visit various points of interest, thence return via the most appropriate route to the original point or points of embarkation.

TOUR NO. 10 -- SAN FRANCISCO WINE & DINE TOUR

Commencing from any of the points listed in Section 2, thence via the most appropriate route to U.S. Highway 101, thence via U.S. Highway 101 to San Francisco, thence via any vessel common carrier authorized to provide such service for a tour to Oakland and back to San Francisco; thence return by most appropriate route to original point or points of embarkation.

Issued by California Public Utilities Commission.

Decision 91147, Application No. 59065

TOUR NO. 11 -- CANDLESTICK PARK (San Francisco)

Commencing from any of the points listed in Section 2, except Santa Rosa, thence via the most appropriate route to U.S. Highway 101, thence via U.S. Highway 101 to Candlestick Park in San Francisco; thence returning via U.S. Highway 101 and appropriate route to the original point or points of embarkation.

TOUR NO. 12 -- CIRCLE STAR THEATER (San Carlos)

Commencing from any of the points listed in Section 2, thence via the most appropriate route to U.S. Highway 101, thence via U.S. Highway 101 to the Circle Star Theater in San Carlos; thence return via U.S. Highway 101 and appropriate route to the original point or points of embarkation.

TOUR NO. 13 -- MARINE WORLD (Redwood City)

Commencing from any of the points listed in Section 2, thence via the most appropriate route to U.S. Highway 101, thence via U.S. Highway 101 to Marine World in Redwood City, thence return via U.S. Highway 101 and the most appropriate route to the original point or points of embarkation.

TOUR NO. 14 -- BAY MEADOWS (San Mateo)

Commencing from any of the points listed in Section 2, thence via the most appropriate route to U.S. Highway 101 to Bay Meadows in San Mateo, thence return via the most appropriate route to U.S. Highway 101 and appropriate route to the original point or points of embarkation.

Issued by California Public Utilities Commission.

Decision 91147, Application No. 59065

TOUR NO. 15 -- GREAT AMERICA (Santa Clara)

Commencing from any of the points listed in Section 2, thence via the most appropriate route to U.S. Highway 101 to Marriott's Great America in Santa Clara, thence return via most appropriate route to U.S. Highway 101 and appropriate route to the original point or points of embarkation.

TOUR NO. 16 -- OAKLAND COLISEUM

Commencing from any of the points listed in Section 2, thence via the most appropriate route to the Oakland Coliseum for special events; thence return by most appropriate route to original point or points of embarkation.

TOUR NO. 17 -- HEARST CASTLE (San Simeon)

Commencing from any of the points listed in Section 2, thence via the most appropriate route to U.S. Highway 101, thence via U.S. Highway 101, Highway 46 and Highway 1 to San Simeon.

Second day: Tour of Hearst Castle and various points of interest. Thence return via Highway 1, Highway 46 and U.S. Highway 101 and appropriate route to the original point or points of embarkation.

TOUR NO. 18 -- SOLVANG

Commencing from any of the points listed in Section 2, thence via the most appropriate route and U.S. Highway 101 and Highway 246 to Solvang.

Second day: Touring of various points of interest in the vicinity of Solvang.

Third day: Commencing from Solvang via Highway 246 and U.S. Highway 101, thence via most appropriate route to the original point or points of embarkation.

Issued by California Public Utilities Commission.

Decision 91147, Application No. 59065

TOUR NO. 19 -- DEATH VALLEY

Commencing from any of the points listed in Section 2, thence via the most appropriate route to Interstate Highway 5, thence via Interstate Highway 5 and Highway 58 to Tehachapi, California.

Second day: Over Highway 58, Highway 14, Highway 395, Highway 190 and appropriate roads within Death Valley National Monument stopping at various points of interest, including but not limited to Stovepipe Wells and Scotty's Castle. Guided tour with stops at various points of interest and scenic drive through Death Valley ending at Furnace Creek.

Third day: Guided tour of Death Valley including scenic points and other points of interest.

Fourth day: Thence returning over Highway 190, Highway 127, Interstate Highway 15, Highway 58 to Bakersfield, California.

Fifth day: Commencing from Bakersfield via Highway 99 and Highway 152, visiting various places of historical and scenic interest in the vicinity of this route, to U.S. Highway 101, thence via U.S. Highway 101 and appropriate route to the original point or points of embarkation.

TOUR NO. 20 -- ANAHEIM/LOS ANGELES (Disneyland, Knott's Berry Farm)

Commencing from any of the points listed in Section 2, thence via the most appropriate route to Interstate Highway 5 to Anaheim, California.

Second day: Tour of Disneyland.

Third day: Tour of Universal Studios and Knott's Berry Farm located in Buena Park, California.

Fourth day: Commencing from Anaheim, thence via most appropriate route to U.S. Highway 101, and appropriate route to the original point or points of embarkation.

Issued by California Public Utilities Commission.

Decision 91147, Application No. 59065

TOUR NO. 21 -- SANTA BARBARA & INDIO

Commencing from any of the points listed in Section 2, thence via the most appropriate route and U.S. Highway 101 to Santa Barbara, California.

Second day: Tour of Santa Barbara and thence via U.S. Highway 101 and Interstate Highway 10 to Indio.

Third day: Free day

Fourth day: Commencing from Indio, thence via the most expeditious route to original point or points of embarkation.

TOUR NO. 22 -- LOS ANGELES AND SAN DIEGO

Commencing from any of the points listed in Section 2, thence via the most appropriate route and Highway 101 to San Luis Obispo.

Second day: Commencing from San Luis Obispo, thence via U.S. Highway 101 to Interstate Highway 5 to Los Angeles with stops at various points of interest.

Third day: Free day in Los Angeles.

Fourth day: Commencing from Los Angeles, thence via Interstate Highway 5 to San Diego to tour various points of interest including but not limited to the San Diego Zoo and Old Towne.

Fifth day: A tour of San Diego harbor via vessel common carrier, thence visit other points of interest and scenic points.

Sixth day: Commencing from San Diego via Interstate Highway 5 and Highway 99 to Bakersfield, California.

Seventh day: Commencing from Bakersfield, thence via Highway 99, Highway 46, U.S. Highway 101 and appropriate route to the point or points of embarkation.

Issued by California Public Utilities Commission.

Decision 91147, Application No. 59065

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 points) 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.

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.

Decision No. 91147, Application No. 59065.