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Decision No. 91299 JAN 29 1980**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of WORLD WIDE JOYE TOURS, INCOR-)
PORATED For Certificate of Public)
Convenience and Necessity to)
Operate; Escorted and Guided)
Tour Passenger Service Between)
All Points in California with)
Return to Fresno.)

Application No. 59254
(Filed November 2, 1979)

O P I N I O N

SS By this application, World Wide Joye Tours, Incorporated, seeks authority to provide an automative service for the transportation of passengers and their baggage. Applicant proposes to provide tour guided sightseeing service within California originating and terminating in Fresno, California. Applicant does not possess any authority to transport passengers within the State of California.

The following tours, originating and terminating in in Fresno, will include the charge for transportation as indicated:

<u>Tour No.</u>	<u>Tour Name</u>	<u>Rate</u>
1	Crescent City	\$44.00
2	California Fall Color	56.00
3	Sacramento and Old Town	14.00
4	Nevada-Placer County	25.00
5	Lake Tahoe	23.00
6	San Francisco Bay Area	15.00
7	Half Moon Bay	15.00
8	San Jose	14.00
9	Santa Cruz	14.00
10	Monterey-Pacific Grove-Carmel	14.00
11	Delta River Cruise	17.00
12	Yosemite	9.50
13	Hearst Castle	13.00
14	Santa Barbara	21.00
15	Los Angeles Area	20.00 (3 days \$30.00)
16	San Diego Area	30.00
17	Imperial Valley	40.00
18	Palm Springs-Indio-Date Festival	54.00
19	Death Valley	60.00
20	Gold Country, Eastern California	70.00

All of the above rates are on a per-passenger basis and for transportation only. Rates do not include cost of non-transportation items such as lodging, admission fees, tips and incidental expenses.

Applicant proposes to provide service for the duration of each tour. The transportation schedule shall vary as is required by the particular trip, taking into account such factors as points of interest, seasonal circumstances, sights, rest, and other possible opportunities for recreation and relaxation of patrons. Tour shall generally be scheduled according to the number of days with a range from approximately eight hours to six full days.

Applicant's equipment consists of one 1979 Prevost coach weighing 28,000 pounds, La Mirage Model, with a horsepower rating of 318, and maximum seating capacity of forty-six.

The requested authorized service routes of the tours are described in Appendix A, attached hereto.

In order to merchandise this type of service, it is necessary for the operator to have nationwide authority as well as statewide authority so as to have needed flexibility on each trip involved. Application for Interstate Commerce Commission authority was made by applicant on August 15, 1979, with copy served on the California Public Utilities Commission. On November 2, 1979, the ICC issue Certificate Number MC 148526-R to this applicant.

Applicant alleges that it generates more than ninety percent (90%) of its business from its general membership lists in the World Wide Joye Travel Club, whose number exceeds two thousand people. Membership continues to grow at least ten percent (10%) per year over the last three years with 1978 enjoying a twenty-five percent (25%) increase.

The active and stable travel club membership assures a predictable income and profit level which will enable the applicant to meet financial obligations in all areas.

Tours include two escorts in addition to the driver. This feature alone makes the service provided by World Wide Joye Tours, Incorporated, unique.

SS Applicant alleges to have operated tour guided travel services for ten (10) years. As an adjunct to this operation, applicant wishes to provide a needed service for guided sightseeing tours of California. The equipment previously described would be used exclusively for the extensive trips which would last for a greater period of time than the normal charter movement. The equipment used would be based in California and movements would originate from Fresno.

Applicant contends that no competition at present provides this or similar service from the Central California area, and foresees no effect on existing carriers in the area.

Applicant has contracted with insurance agent F. Bahrenfus for all applicable insurance, as required.

The applicant's balance sheet, as of June 30, 1979, shows assets of \$54,207 and indicates an equity of \$19,164.

Applicant has informed the staff that the 1979 La Mirage Model, Prevost Coach was purchased in February 1979. Monthly payments are being made on the coach and applicant has been precluded from operating within California until a certificate of public convenience and necessity is issued by the Commission.

SS Notice of the application has been served on Allstate Charter Tours, Inc., Greyhound Bus Lines, Continental Trailways, Orange Belt Stages, Sierra Highlands Bus Company, Inc., California Parlor Car Tours, Fresno County and the City of Fresno, the parties most likely to be affected. The application was listed on the Commission's Daily Calendar. No protests have been received. The Commission's Transportation Division recommends that the authority be granted ex parte.

Upon consideration of the evidence, the Commission finds as follows:

1. Applicant possesses the equipment, personnel, expertise and financial resources to institute and maintain the proposed service.

2. Public convenience and necessity require that the application be granted as set forth in the ensuing order.

3. A public hearing is not necessary.

SS ~~4. The proposed fares are justified.~~

45. The Commission staff supports the application.

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

7. Applicant has demonstrated that public convenience and necessity require granting of the application.

Conclusions

It is concluded that the sought authority should be granted. Since there are no protests, the public will benefit from immediate institution of the service, and also since any additional delay would result in a severe financial impact on the applicant, the following order should be effective the date of signature. World Wide Joye Tours, Incorporated 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.

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to World Wide Joye Tours, Incorporated, authorizing it to operate as a pasenger stage corporation, as defined in Section No. 226 of the Public Utilities Code, between the points and over the routes as described in Appendix A hereof.

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 of the California Highway Patrol, the rules and other regulations 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 not less than the 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 is the date hereof.
Dated JAN 29 1980, at San Francisco, California.

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

John E. Bryan
President
James L. Sturgeon
Robert W. Wash
Sanford J. [unclear]
Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

PSC-1104
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 91299,
dated JAN 29 1980 of the Public Utilities Commission
of the State of California, in Application 59254.

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

World Wide Joye Tours, Incorporated, by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to operate as a passenger stage corporation for the transportation of passengers and their baggage over the routes hereinafter described and subject to the following provisions and restrictions:

1. All Transportation shall be conducted on a sightseeing or a pleasure tour basis.
2. All tours and passengers on tours shall originate and terminate in Fresno County, and shall be operated on an "on call" basis.
3. All service herein authorized shall be limited to the transportation of round-trip passengers only.
4. All tours shall be conducted on a continuous basis except for stops for sightseeing, meals and lodging.
5. All tours shall include more than expeditious point-to-point transportations and shall provide accessorial services including, but not limited to, tour guides, restaurant meals and accommodations.
6. Minimum number of passengers to be transported is 25. If less than 25, company reserves the right to cancel the trip and to refund the full purchase price. The charges authorized herein are in dollars and cents and are payable in United States monies.

Issued by California Public Utilities Commission.

Decision No. 91299, Application No. 59254.

SECTION 2. ROUTE DESCRIPTIONS.

Subject to the authority of this Commission to change or modify such at any time, World Wide Joye Tours, Incorporated, shall conduct its passenger stage operations between the following points and over and along the following route descriptions:

INDEX OF TOURS

<u>Tour Number</u>	<u>Tour Name</u>	<u>Page</u>
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2	California Fall Color	3
3	Sacramento and Old Town	3
4	Nevada-Placer County	4
5	Lake Tahoe	4
6	San Francisco Bay Area	4
7	Half Moon Bay	4
8	San Jose	4
9	Santa Cruz	4
10	Monterey-Pacific Grove-Carmel	5
11	Delta River Cruise	5
12	Yosemite	5
13	Hearst Castle	5
14	Santa Barbara	6
15	Los Angeles Area	6
16	San Diego	6
17	Imperial Valley	7
18	Palm Springs-Indio-Date Festival	7
19	Death Valley	7
20	Gold Country, Eastern California	8

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

TOUR 1 -- Crescent City

Commencing from any appropriate point or points within Fresno County, thence leaving on Highway 99 north to Highway 152 west, to Interstate 5 north, and connecting to Highway 101 north and thence to Crescent City for either three or four days touring the North Coast area with stops at various points of interest, including Fort Bragg, Eureka, Asti and San Francisco. Thence returning by the most appropriate route to the original point or points of embarkation.

TOUR 2 -- California Fall Color

Commencing from any appropriate point or points within Fresno County, thence leaving Fresno via Highway 99 north, thence east on Interstate 80, thence north on Highway 65, to Highway 70 north, thence north on Highway 99 to Interstate 5 north to Redding, (overnight), thence east on Highway 299, thence north on Highway 139, thence west on Highway 161, thence south on Highway 97 to Lake Shastina (overnight), thence to Interstate 5 south, thence west on Highway 99 to Eureka (overnight), thence south on Highway 101, thence to Highway 1 south, thence to 116 east, to Highway 101 north, thence to Highways 29 and 178 south, thence to Interstate 80 west, to Highway 680 south, to Interstate 205 east, thence to Interstate 5 south, to Highway 152 east to Highway 99 south, to the original point or points of embarkation. Tour shall include stops at various points of interest including Madera, Sacramento, Oroville, Red Bluff, Redding (overnight), Burney, Lava Beds National Monument, Tulalake, Davis, Lake Shastina (overnight), Weaverville, Willow Creek, Eureka (overnight), Fort Bragg, Point Arena, Santa Rosa, Healdsburg, Calistoga, and St. Helena.

TOUR 3 -- Oldtown and Sacramento Fort

Commencing from any appropriate point or points within Fresno County, thence leaving Fresno on Highway 99 north to Sacramento with stops at various points of interest, thence return by the most appropriate route to the original point or points of embarkation.

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

TOUR 4 -- Nevada-Placer County

Commencing from any appropriate point or points within Fresno County, thence leaving on Highway 99 north to Sacramento thence east on Interstate 80 ending at Interstate 80 and California and Nevada state border. Tours may include stops at various points of interest including Sacramento, Madera, Colfax, Baxter and Truckee, and Florista, thence returning by the most appropriate route to the original point or points of embarkation.

TOUR 5 -- Lake Tahoe

Commencing from any appropriate point or points within Fresno County, thence leaving via Highway 99 north to Sacramento, thence east on Highway 50 to South Lake Tahoe (overnight), with stops at various points of interest, thence returning via the same route to the original point or points of embarkation.

TOUR 6 -- San Francisco Bay Area

Commencing from any point or points within Fresno County, thence leaving Fresno via Highway 99 north, thence to Highway 152 west, to Interstate 5 north, thence to Highway 205 west to San Francisco via San Francisco-Oakland Bay Bridge. Tour stops at various points of interest including Fisherman's Wharf, or Pier 39, thence returning over the most appropriate route to the original point or points of embarkation. Tour includes stop at Santa Nella.

TOUR 7 -- Half Moon Bay

Commencing from any appropriate point or points within Fresno County, thence leaving via Highway 99 north, to 152 west, to Highway 101 north, to Highway 1 north to Half Moon Bay with stops at various points of interest along the way, and thence return via the most appropriate route to the original point or points of embarkation.

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Decision No. 91299, Application No. 59254.

SECTION 2. ROUTE DESCRIPTIONS (Continued)

TOUR 8 -- San Jose

Commencing from any appropriate point or points within Fresno County, thence leaving via Highway 99 north, to Highway 101 north to San Jose, will stop at various points of interest along the way, and thence return via the most appropriate route to the original point or points of embarkation.

TOUR 9 -- Santa Cruz

Commencing from any appropriate point or points within Fresno County, thence leaving Fresno via Highway 99 north, thence Highway 152 west to 156 west, thence north on 101 to Santa Cruz, with stops at various points of interest along the way, and thence return via the most appropriate route to the original point or points of embarkation.

TOUR 10 -- Monterey-Pacific Grove-Carmel

Commencing from any appropriate point or points within Fresno County, leaving via Highway 99 north thence to 152 west, thence on to 156 west, to Highway 1 south, thence to Monterey, Pacific Grove and Carmel, with stops at various stops of interest along the way, and thence returning via the most appropriate route to the original point or points of embarkation.

TOUR 11 -- Delta River Cruise

Commencing from any appropriate point or points within Fresno County, thence leaving via Highway 99 north, then over to 205 west to Highway 48, thence to San Francisco using the most appropriate route to pick up patrons who disembarked at Stockton to take Cruise to San Francisco. Thence returning over the most appropriate route to the original point or points of embarkation.

Issued by California Public Utilities Commission.

Decision No. 91299, Application No. 59254.

SECTION 2. ROUTE DESCRIPTIONS (Continued)

TOUR 12 -- Yosemite National Park

Commencing from any appropriate point or points within Fresno County, thence leaving Fresno via Highway 41 east, to Yosemite National Park. Tour includes stops at various points of interest, thence returning over the most appropriate route to the original point or points of embarkation.

TOUR 13 -- Hearst Castle

Commencing from any appropriate point or points within Fresno County, thence leaving Fresno via Highway 41 west, to Highway 46 west, thence to Highway 1 north, to Hearst Castle. With stops at various points of interest including Pasa Robles, Morro Bay, Lemoore, San Simeon, and Cambria, thence return over the same route to the original point or points of embarkation.

TOUR 14 -- Santa Barbara-Pacific Ocean

Leaving Fresno via Highway 41 west to 46 west to Highway 101 south, thence to Santa Barbara with stops at various points of interest, thence returning over the same route.

TOUR 15 -- Los Angeles Area (two or three-day tour)

Leaving Fresno on Highway 99 south to Interstate 5 south, to Los Angeles with stops at least two of the following points of interest: Buena Park (overnight), Knott's Berry Farm, Disneyland, Universal Studios, J. Paul Getty Museum, Century City, Plaza, Pantagees Theatre, Music Center, Convention Center, NBC Studios, Farmer's Market, Busch Gardens, Lion Country Safari, Laguna Art Festival, Hemet, Queen Mary, Marine Land, Los Angeles County Museum, Huntington Park Library, Santa Anita Racetrack, Los Angeles County Arboretum, Griffith Park, Wax Museum, Sunset Boulevard, Newport Beach, Long Beach, and Marina Del Rey, and Pasadena, Chavez Ravine and Anaheim Stadium. Thence returning over the most appropriate route to the original point or points of embarkation.

Issued by California Public Utilities Commission.

Decision No. 91299, Application No. 59254.

SECTION 2. ROUTE DESCRIPTIONS (Continued)

TOUR 16 -- San Diego Area

Commencing from any appropriate point or points within Fresno County, thence leaving south on Highway 99 to Interstate 5 south to San Diego with stops at San Juan Capistrano, Carlsbad, and thence to other points of interest within the San Diego area, such as Cabrillo National Monument, Oldtown, Balboa Park, Sea World, San Diego Zoo, Scenic Drive, Harbor, Del Coronado Hotel, and the Bay and Embarcadero. Tours shall include at least four of the above points of interest. Thence returning over the most appropriate route to the original point or points of embarkation.

TOUR 17 -- Imperial Valley

Tour shall leave Fresno via Highway 99 south to Interstate 5 south to San Diego; thence to Interstate 8 east to Highway 111 south, to Calexico, thence to 111 south to Highway 86 north, to Highway 111 north to Interstate 10 west, thence to Interstate 5 north, then return to Fresno using the most appropriate route to the original point or points of embarkation. Tour shall include stops at various points of interest selecting at least three of the following: San Diego, El Centro, Calexico, Palm Springs, and Joshua Tree National Monument, and Salton Sea. Tour may proceed in reverse order of route given.

TOUR 18 -- Palm Springs, Indio, Date Festival

Leaving Fresno via Highway 99 south to Highway 58 south, thence to 247 south to Highway 62 west, thence to 111 south to Palm Springs and Indio (overnight).

Second day - tour of local points of interest within cities of Palm Springs, Indio and the festival.

Third day - Highway 111 to Interstate 10 west to Interstate 5 north; thence north on Interstate 5 to Fresno.

Tour shall include various points of interest including Hadley's Fruit Market, on Interstate 10 near Cabazon, Bakersfield, Castaic, Barstow and Tehachapi.

Issued by California Public Utilities Commission.

Decision No. 91299, Application No. 59254.

SECTION 2. ROUTE DESCRIPTIONS (Continued)

TOUR 19 -- Death Valley

Leaving Fresno via Highway 99 south to Highway 58 east to Highway 14 north; thence to Highway 190 east to Death Valley and Stovepipe Wells (overnight).

Second day - tour shall include stops at points of interest including at least three of the following: Scotty's Castle, Badwater, Furnace Creek and Artist's Palate.

Third day - thence returning over the same route to original point or points of embarkation.

TOUR 20 - Gold Country, Eastern California

Leaving Fresno via Highway 41 east to Yosemite National Park (overnight).

Second day - leave Yosemite National Park via Highway 120 north to Highway 49 north to Highway 108 north, thence to 395 south to Lee Vining (overnight), or Bishop (overnight).

Third day - leave via 395 south to Interstate 15 west to Interstate 5 south to Buena Park (overnight).

Fourth day - tour of various points of interest within the Los Angeles Area. Points shall be of the same as Tour 15 and shall include at least two of these points of interest.

Fifth day - thence over the most appropriate route to Highway 91 east, to Interstate 5 north, thence to 99 north to point or points of embarkation. Tour may proceed in reverse of order of route given.

Issued by California Public Utilities Commission.

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