

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of MEXCURSIONS, INC., a corpo-)
ration, for a certificate of)
public convenience and neces-)
sity to operate passenger stage)
tour service between points in)
the County of San Diego, on the)
one hand, and various points in)
Orange County on the other hand,)
and between the City of Anaheim,)
on the other hand, and various)
points in San Diego County,)
on the other hand.)

c
Application No. 57763
(Filed December 21, 1977;
amended January 12, 1978,
May 11, 1978, and
June 27, 1978)

ORDER OF REVOCATION

Commission Decision No. 90155, effective May 11, 1979 granted Certificate of Public Convenience and Necessity to Mexcursions, Inc., authorizing it to operate as a Passenger Stage Corporation, (PSC 1066) as defined in Section 226 of the Public Utilities Code between the Cities of San Diego and Coronado, on the one hand, and Lion Country Safari and Disneyland in Orange County, on the other hand; and between the City of Anaheim, on the one hand, and Sea World and the San Diego Zoo in San Diego, on the other hand; sightseeing operations within the City and County of San Diego.

Ordering paragraph 1 of Decision 90155 states in part that "Mexcursions, Inc., within ninety days after the effective date of this order, submits to the Commission a written statement from the City Manager of the City of San Diego that Mexcursions, Inc., has complied with Conditions 1 and 2 of Resolution No. 222920 passed and adopted by the Council of the City of San Diego on February 26, 1979."

Ordering paragraph 3 of Decision 90155 specifically states that "In the event within ninety days after the effective date of this order, Mexcursions, Inc., fails to submit a written statement from the City Manager of the City of San Diego that Mexcursions, Inc., has complied with Conditions 1 and 2 of Resolution No. 222920 passed and adopted by the Council of the City of San Diego on February 26, 1979, the application is denied."

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Paragraphs 2(a), (b), (c) and (d) of Decision 90155 require Mexcursions, Inc., to comply with certain service regulations of the Commission's General Order 98-A and insurance requirements of the Commission's General Order No. 101-Series. S

On September 3, 1979, the City of San Diego granted a twelve (12) months conditioned probationary extension of time for Mexcursions, Inc., to comply with the City of San Diego Resolution No. 222920. SS

In consequence of the action taken by the City of San Diego, the Commission by Decision No. 91140, dated December 18, 1979, allowed Mexcursions to continue exercising the Passenger Stage Certificate granted in Decision No. 90155 until further order of the Commission, predicated upon conditions and restrictions in Ordering Paragraphs 2 and 3 of Decision No. 91140.

Paragraph 2 of Decision 91140 directs Mexcursions to discontinue advertising or conducting any common carrier passenger stage service which is beyond the scope of the authority contained in Appendix A of Decision No. 90155. S

Paragraph 3 of Decision 91140 directs the Transportation Division staff to report to the Commission on or before September 3, 1980 whether Mexcursions has complied with conditions 1 and 2 of Resolution 222920 passed by the Council of the City of San Diego. The staff was also directed to report to the Commission on or before February 1, 1980 whether Mexcursions has complied with Ordering Paragraph 2 of Decision 91140. SS

Staff follow up, as directed in the above order, indicates Mexcursions has not complied with any order, directive or service regulation set forth pursuant to the above Decision No. 91140.

Further, San Diego Police Department reported to the staff on February 7, 1980, that Mexcursions is no longer in business. A lone vehicle known to be used by Mexcursions in conducting public transportation operations has apparently been repossessed and it appears that Raoul Lowery, the Principal of Mexcursions is now in the employ of an advertising agency.

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The staff has been unable to contact Mexcursions, and the phone has been disconnected with no forwarding address.

It appears and the Commission finds that these matters constitute good cause for the revocation of the aforementioned certificate and that such revocation would not be adverse to the public interest. The Commission, therefore, concludes that the certificate should be revoked.

IT IS ORDERED that the Certificate of Public Convenience and Necessity to operate as a passenger stage corporation authorized by Decision 90155 is hereby revoked upon the effective date of this order.

The Executive Director shall mail a certified copy of this order to:

VIRANT & DeBRAUWERE
John E. DeBrauwere
4765 Eagle Rock Blvd.
Los Angeles, California 90041

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

Dated APR 15 1980, at San Francisco, California.

President
Veronica L. Steyer

Richard D. Howell

Clair T. Edwards

Arnold J. Jones
Commissioners

Commissioner John E. Bryson,
being necessarily absent, did
not participate.