

Decision No. 91812 MAY 20 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of YVONNE WALKER AND BETTE LERMA)
dba TRAVEL FANTASIES for certifi-)
cate of public convenience and)
necessity to operate service)
between SAN FRANCISCO COUNTY)
and points within the State)
of California.)

Application No. 59466
(Filed February 20, 1980)

O P I N I O N

Yvonne Walker and Bette Lerma, a partnership, doing
business as Travel Fantasies, request, by this application, ~~for~~ SS
a certificate of public convenience and necessity to operate as
a passenger stage corporation to transport passengers for sight-
seeing purposes between the City and County of San Francisco,
on the one hand, and certain points in the Counties of Santa
Clara, Contra Costa and Sonoma, on the other hand.

The proposed San Jose tour will be made available on
Tuesdays, Thursdays and Saturdays commencing at 9 in the morning
until 5 in the evening. The proposed fare is \$24 per person and
\$18 for each child. This tour will visit Los Gatos Old Town
Shopping Center, Rosicrucian Museum and Winchester Mystery House
and lunch in a Mexican restaurant.

The Russian River Wine tour will be an 8 hour tour
commencing at 9 in the morning on Wednesdays, Fridays and Sundays.
It will visit at least three wineries adjacent to U.S. Highway 101
north of River Road in Sonoma County. A tour escort or the person-
nel from the wineries will lecture on the agriculture, production,
aging, tasting and reading of labels on winemaking. The proposed
fare is \$24 per person and \$18 for each child.

Renaissance West Health Spa tour has a proposed
fare of \$27 per person and no children are allowed. This trip
will be available on Sundays, Tuesdays and Thursdays commencing
at 9 in the morning and ending at 6 in the evening. It is

located in Contra Costa County near the west foot of Mt. Diablo. This facility consists of overnight accommodations, medical exam rooms, beauty salon, sauna, hot tubs, jacuzzi, swimming pool, massage rooms, horseback riding and a planned 18 hole golf course. ~~Guests will be taught how to mix health drinks, discuss individual weight problems, exercise and other related matters. Also available are facials.~~ SS

The proposed fares for the above tours do not include meals or admission charges. These tours may be cancelled if each of the tours has less than six passengers. Applicants intend to utilize only vehicles with a seating capacity of not more than 22 passengers.

The application was listed on the Commission's Daily Calendar of February 22, 1980. Copies of the application were served on The Gray Line, Inc., Golden Gate Sightseeing, Dolphin Tours, O'Connor Limousine Service (O'Connor Tours Service) and on the County Clerks of San Francisco, Contra Costa, Santa Clara and Sonoma. The Commission's Transportation Division staff has reviewed the application and recommends that in the absence of protests or request for public hearing, it be granted by ex parte order. No protest or request for hearing has been received.

The Commission finds that public convenience and necessity require that the passenger stage service proposed by the applicants be established. ~~We also find with reasonable certainty that the projects involved in this proceeding will not have a significant effect on the environment.~~ ^{IT CAN BE SEEN WITH CERTAINTY THAT} ~~THERE IS NO POSSIBILITY THAT THE ACTIVITY IN QUESTION MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.~~ SS

The Commission concludes that a public hearing is not necessary and the application should be granted.

Applicants are 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 Yvonne Walker and Bette Lerma, a partnership, doing business as Travel Fantasies, authorizing them to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and subject to the conditions set forth in Appendix "A" of this decision.

2. In providing service pursuant to the authority granted by this order, applicants shall comply with the following service regulations. Failure ^{to do so} ~~to do so~~ may result in a cancellation of the authority.

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- (a) Within thirty days after the effective date of this order, applicants shall file a written acceptance of the certificate granted. Applicants are placed on notice that if they accept the certificate they 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, applicants 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 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 as set forth in the Commission's General Orders Nos. 79-Series and 98-Series.
- (e) Applicants shall maintain their 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 their operations in such form, content and number of copies as the Commission, from time to time shall prescribe.

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

Dated MAY 20 1980 , at San Francisco, California.

John E. Bryan
President

Thomas L. Peterson

Richard W. Howell

Clair J. DeLong

Samuel W. Jones
Commissioners

CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY
AS A PASSENGER STAGE CORPORATION

PSC - 1109

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. 91812
dated MAY 20 1980, 1980, of the Public Utilities
Commission of the State of California, in Application No. 59466.

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(PSC - 1109)

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

Yvonne Walker and Bette Lerma, a partnership, doing business as Travel Fantasies, by the Certificate of Public Convenience and Necessity to operate as a passenger stage corporation granted in the decision noted in the margin, are authorized to transport passengers for sightseeing purposes between the City of San Francisco, on the one hand, and certain points in the City of San Jose, Russian River wineries in Sonoma County and Renaissance West Health Spa in Contra Costa County, on the other hand, over and along the routes, places and points described herein, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. Service herein authorized shall be limited to the transportation of round-trip passengers.
- b. Vehicles utilized in this operations shall not exceed 22 passenger seating capacity.
- c. When route descriptions are given in one direction, they apply in either direction unless otherwise indicated.
- d. Service will be provided on the following days for each of the tours:

San Jose - Tuesdays, Thursdays and Saturdays
Russian River Wine Tour - Wednesdays, Fridays
and Sundays
Renaissance West Health Spa - Sundays,
Tuesdays and Thursdays

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(PSC-1109)

SECTION II. TOUR DESCRIPTIONS.

TOUR NO.

1 San Jose

Commencing from the City and County of San Francisco, thence over Highway 280 and over and along the most appropriate streets, roads and highways to Los Gatos Old Town Shopping Center, Los Gatos and to certain points of interests in the City of San Jose such as the Rosecrucian Museum, Winchester Mystery House and the Rifle Museum. Return via Highway 101 to San Francisco.

2 Russian River Wine Tour

Commencing from the City and County of San Francisco, thence over Highway 101 and over and along the most appropriate streets and roads to the wineries located adjacent to U.S. Highway 101 in Sonoma County north of River Road.

3 Renaissance West Health Spa

Commencing from the City and County of San Francisco, thence over Highways 80, 24, 580 and 680 to Danville and thence over the most appropriate streets and roads to Blackhawk Road and thence to Renaissance West Health Spa located near Blackhawk Ranch.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

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