

Decision No. 91930

JUN 17 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of COMMUTER BUS LINES, INC. for )  
authority to extend its passenger )  
stage service to include routes )  
recently abandoned by California )  
Sight-Seeing Tours, Inc. )

Application No. 59209  
(Filed October 15, 1979;  
amended December 3, 1979  
and January 14, 1980)

O P I N I O N

Applicant, Commuter Bus Lines, Inc., a California corporation, is engaged in the business of operating a passenger stage corporation as defined in Section 226 of the Public Utilities Code of the State of California, transporting persons between their homes and places of employment, and it and its predecessor company have been so engaged for more than 30 years.

By its original application, it sought authority under the provisions of Sections 1031-1036 of the Public Utilities Code to extend its passenger stage service to include routes in southern California that had previously been abandoned in D.90230 by California Sightseeing Tours, Inc., which authority had been granted by a certificate of public convenience and necessity (certificate) issued in D.89267 dated August 22, 1978.

The proposed certificate which applicant originally sought is Exhibit C attached to its application. By its first and second amendments to its application, it seeks to delete from its request in its original application Routes 2, 3, 4, and 5 on Original Page 5 and all of Original Page 9 of Exhibit C, which routes are between certain points and San Ysidro, in southern California.

This application, A.59209, was heretofore set for hearing in Los Angeles on December 11, 1979 before Administrative Law Judge Johnson with A.59194, wherein the applicant in this case requested certain authority to extend its passenger stage commuter service from Orange County to downtown Los Angeles. At the request of the applicant, both matters were temporarily removed from the calendar December 4, 1979.

Gray Line Tours Company protested the original application, but upon the filing of the amendments has withdrawn its protest by letter to the Commission dated January 10, 1980. Greyhound Lines, Inc. protested the original application, but withdrew the protest after the filing of the amendments to the application, by letter dated January 16, 1980.

In D.90230 dated April 24, 1979, we found that the routes authorized by the certificate issued to California Sightseeing Tours, Inc., for which applicant seeks a certificate herein, had been dormant and not in operation for at least two years, concluded that the certificate should be revoked, and ordered that the certificate issued by D.89267 (which includes the authority requested by the applicant herein), be revoked.

There are certain exhibits attached to the application. Exhibit B is a map of present and proposed service of applicant; Exhibit C is the proposed certificate, except that Routes 2 through 5 on Original Page 5 and all of Original Page 9 are deleted from the request by the amendments to the application; Exhibit D shows the proposed fares; Exhibit E, the list of equipment of applicant; and Exhibit F is a balance sheet of May 31, 1979 ✓ and a profit and loss statement for the five-month period ending May 31, 1979.

Findings

1. Applicant has the experience, equipment, personnel, and financial resources to reinstitute and maintain the proposed service.
2. Public convenience and necessity require the granting of the application as amended.
3. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
4. There are no protests to the application, as amended, and a public hearing is not necessary.

Conclusion

The Commission concludes that the application should be granted as set forth in the ensuing 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. A certificate of public convenience and necessity is granted to Commuter Bus Lines, Inc., a corporation, 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 set forth in Appendix K of this decision.

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 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, 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 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 shall be thirty days after the date hereof.

Dated APR 17 1968, at San Francisco, California.

John E. Bryan  
President

James L. Sturgeon

Clair J. Pedrick

Donald M. Smith  
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE AS A PASSENGER STAGE CORPORATION  
PSC-453

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Showing passenger stage operative rights, restrictions, limitations,  
exceptions and privileges applicable thereto.

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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.

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Issued under authority of Decision No. 91930,  
dated JUN 17 1980 of the Public Utilities Commission,  
of the State of California, in Application No. 59209.

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

Commuter Bus Lines, Inc. by the Certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to:

1. Transport passengers for sightseeing purposes, commencing at the Los Angeles Harbor (San Pedro and Wilmington) to points of interest in Los Angeles and Orange Counties and returning to the point of beginning in the Los Angeles Harbor, over and along the routes hereinafter described in Section 2, subject to the following conditions and restrictions:
  - a. Service shall be limited to the transportation of round-trip passengers, originating in the Los Angeles Harbor, San Pedro and Wilmington.
  - b. Service shall be operated in conjunction with tour steamship arrivals and subject to a minimum of ten adult passengers.
  
2. Transport passengers and their baggage in service other than sightseeing, between the Los Angeles International Airport, on the one hand, and Los Angeles Harbor (San Pedro and Wilmington), on the other hand, over and along the route described in Section 2, subject to the following conditions and restrictions:
  - a. Service shall be limited to transportation of persons with prior or subsequent passage on steamship docking at Los Angeles Harbor.
  - b. Service shall be operated in conjunction with steamship arrivals at or departures from docks in Los Angeles Harbor area bounded by Anaheim Street on the north, Harbor Freeway-Pacific Avenue on the west, Pacific Ocean on the south and Los Angeles-Long Beach city boundary to its intersection with Henry Ford Avenue immediately north of Cerritos Channel, thence Henry Ford Avenue to Anaheim Street, on the east.

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SECTION 1 - GENERAL AUTHORIZATIONS, RESTRICTIONS,  
LIMITATIONS AND SPECIFICATIONS. (Continued)

- c. Passengers shall be transported only between Los Angeles International Airport on the one hand, and Los Angeles Harbor steamship docks, on the other hand. No passenger shall be transported whose origin or destination is at any intermediate point between such airport and steamship dock.
3. Transport passengers for special events held at Los Angeles Coliseum between San Pedro, on the one hand, and the Los Angeles Memorial Coliseum, on the other hand.

and over and along the routes hereinafter described subject to the conditions and restrictions hereinafter set forth:

- a. Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections in accordance with local traffic regulations.
- b. When route descriptions are given in one direction, they apply to operations in either direction unless otherwise indicated.
- c. Authority is granted to operate motor coaches in excess of 35 feet, but not in excess of 40 feet, in length and in excess of 96 inches, but not exceeding 104 inches in width.

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## SECTION 2 - DESCRIPTION OF SERVICE TERRITORIES.

Except at termini, passengers shall be picked up and discharged within the following areas only:

Route 2 SAN PEDRO - LOS ANGELES COLISEUM

South of Pacific Coast Highway only.

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## SECTION 3 - ROUTE DESCRIPTIONS.

1. SIGHTSEEING OPERATIONS

Subject to the authority of this Commission to change or modify such at any time, COMMUTER BUS LINES, INC. shall conduct said sightseeing passenger stage operations over and along the following routes:

TOUR NO. 110. DISNEYLAND-KNOTT'S BERRY FARM

Commencing at the Los Angeles Harbor, San Pedro, and Wilmington, thence via the most appropriate route or routes to points of interest in order

Vincent Thomas Bridge, City of Long Beach, Belmont Shore, Bay of Naples, Huntington Harbor, Los Alamitos Naval Air Station, Disneyland, Knott's Berry Farm, Hollywood Wax Museum, and return to the point of beginning via the most direct route.

TOUR NO. 111. MARINELAND

Commencing at the Los Angeles Harbor, San Pedro, and Wilmington, thence via the most appropriate route or routes to points of interest in order

Ports of Call, Cabrillo Marine Museum in San Pedro, Point Fermin, Wayfarers Chapel, Marineland, Palos Verdes Drive North and East and return to the point of beginning via the most direct route.

TOUR NO. 112. MOVIE STUDIO - LOS ANGELES

Commencing at the Los Angeles Harbor, San Pedro and Wilmington, thence via the most appropriate route or routes to points of interest in order

University of Southern California Campus, Los Angeles Memorial Coliseum, Sports Arena, Los Angeles Civic Center, Olvera Street, Dodger Stadium, Universal-International Studio or Metro-Goldwyn-Mayer Studio (Culver City) and return to the point of beginning via the most direct route.

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## SECTION 3 - ROUTE DESCRIPTIONS. (Continued)

I. SIGHTSEEING OPERATIONS (Continued)TOUR NO. 113. HOLLYWOOD TOUR-MOVIE STARS' HOMES

Commencing at the Los Angeles Harbor, San Pedro, and Wilmington, thence via the most appropriate route or routes to the following points of interest in the order indicated:

University of Southern California Campus, Los Angeles Memorial Coliseum, Sports Arena, Los Angeles Civic Center, Olvera Street, Dodger Stadium, Grauman's Chinese Theater, Farmers Market, Beverly Hills, and return to the point of beginning via the most direct route.

TOUR NO. 114. MARINELAND - MOVIE STUDIOS

Commencing at the Los Angeles Harbor, San Pedro, and Wilmington, thence via the most appropriate route or routes to the following points of interest in the order indicated:

San Pedro, Wayfarers Chapel, Marineland, Redondo Beach, Hermosa Beach, Manhattan Beach, Venice, Ocean Park, Santa Monica, Los Angeles International Airport, Playa del Rey Yacht Harbor, Santa Monica Beach, University of California at Los Angeles, Universal-International Studio or Metro-Goldwyn-Mayer Studio (Culver City), and return to point of beginning via the most direct route.

TOUR NO. 115. DISNEYLAND-LOS ANGELES CIVIC CENTER-HOLLYWOOD

Commencing at the Los Angeles Harbor, San Pedro, and Wilmington, thence via the most appropriate route or routes to the following points of interest in the order indicated:

Vincent Thomas Bridge, City of Long Beach, Belmont Shore, Bay of Naples, Huntington Harbor, Los Alamitos Naval Air Station, Disneyland, Knott's Berry Farm, Hollywood Wax Museum, Angel Stadium, Dodger Stadium, Los Angeles Civic Center, Olvera Street, Grauman's Chinese Theater, Beverly Hills, Los Angeles Memorial Coliseum, Sports Arena, and return to point of beginning via the most direct route.

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## SECTION 3 - ROUTE DESCRIPTIONS. (Continued)

I. SIGHTSEEING OPERATIONS (Continued)TOUR NO. 116. MOVIE STUDIO-HOLLYWOOD-MOVIE STARS' HOMES

Commencing at the Los Angeles Harbor, San Pedro, and Wilmington, thence via the most appropriate route or routes to the following points of interest in the order indicated:

University of Southern California Campus, Los Angeles Memorial Coliseum, Sports Arena, Los Angeles Civic Center, Olvera Street, Dodger Stadium, Grauman's Chinese Theater, Farmers Market, Beverly Hills, Universal-International Studio or Metro-Goldwyn-Mayer Studio (Culver City) and return to the point of beginning via the most direct route.

TOUR NO. 117. LION COUNTRY SAFARI

Commencing at the Los Angeles Harbor, San Pedro, and Wilmington, via the most appropriate route or routes to the following points of interest in the order indicated:

Vincent Thomas Bridge, Long Beach Naval Shipyard, Queen Mary (Marine Museum), Naples-Long Beach Marina, Los Alamitos Naval Air Station, Lion Country Safari, and return to point of beginning via the most direct route.

TOUR NO. 118. MAGIC MOUNTAIN

Commencing at the Los Angeles Harbor, in San Pedro or Wilmington, thence via the most appropriate route or routes to the Harbor Freeway northbound. Continue on San Diego Freeway, Golden State Freeway, Interstate Highway 5, to Henry Mayo Drive near Valencia, thence to Magic Mountain entrance.

## Alternate Route:

Commencing at the Los Angeles Harbor, in San Pedro or Wilmington, thence via the most appropriate route or routes to the Harbor Freeway northbound. Continue on Hollywood Freeway, west on Hollywood Blvd., north on Highland Avenue, continue on Hollywood Freeway northbound, continue on Golden State Freeway, Interstate Highway 5, to Henry Mayo Drive near Valencia, thence to Magic Mountain entrance.

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SECTION 3 - ROUTE DESCRIPTIONS. (Continued)

II. LOS ANGELES INTERNATIONAL AIRPORT OPERATIONS

Route 1. Los Angeles International Airport-Los Angeles Harbor

Commencing at Los Angeles International Airport, circling all of the airline satellites, thence along Century Boulevard, San Diego Freeway, and Harbor Freeway to Los Angeles Harbor Area as defined in Section 1 hereof, thence along city streets to steamship docks within such area. ✓

Return by reverse of said route.

III. LOS ANGELES COLISEUM OPERATIONS

ROUTE 2. SAN PEDRO - LOS ANGELES COLISEUM

Commencing at the intersections of Sixth Street and Harbor Boulevard in San Pedro, thence via the most appropriate and direct route to the Los Angeles Memorial Coliseum.

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