

Decision No. 92143 AUG 19 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
THE TOWN TOUR FUNBUS COMPANY, INC.,

DBA

FUNBUS SYSTEMS "CALIFORNIA TOURS"

For a Certificate of Public Convenience and
Necessity to operate deluxe motor coach
Passenger Stage Service and conduct overnite
sightseeing tours within the State of California,
between Orange County and San Jose/San
Francisco, as detailed in this application.

ORIGINAL

Application No. 59612
(Filed April 21, 1980)

O P I N I O N

The applicant presently has authority from this Commission as a passenger stage corporation (PSC-918) to conduct sightseeing and special events-oriented passenger stage services between various points in Southern California as set forth in Appendix A of Decision No. 85561.

By this application, applicant requests authority to extend its passenger stage operations by conducting tours between Orange County and the San Jose and San Francisco areas and certain points within the State of California.

The applicant alleges that there is no existing sightseeing service between Orange County and the points in Northern California that it proposes to serve. The applicant further alleges that the proposed transportation services are different and distinct from any public transportation system currently being offered in the proposed areas. Applicant's service will be operated with a stewardess or steward escort on each bus who will provide the passengers with beverages, snacks, reading material, pillows and

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and blankets. The tours will be narrated as to sights and points of interest along the routes. ^{These} passenger stage service will be operated with new model MC-9 motorcoaches, equipped with reclining seats, air conditioning and a public address system. Applicant's financial statement reveals assets of \$1,600,000 and its equipment list includes several motorcoaches with additional units scheduled for delivery in June, 1980.

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Notice of this application was listed in the Commission's Daily Calendar of April 24, 1980, and applicant served copies thereof on Greyhound Lines, Inc., California Parlor Car Tours, Inc., and Trailways, Inc. A letter of protest dated May 1, 1980 was filed by California Parlor Car Tours, Inc. ("Parlor Car"). Parlor Car operates as a passenger stage corporation pursuant to Commission Certificate PSC-520. Pursuant to this authority, Parlor Car offers several variations of individual fare sightseeing tours in California, including service between Los Angeles and San Francisco. However, Parlor Car does not hold authority to operate any Northern California service to or from Orange County. Orange County is a territory with well over one million inhabitants and these persons should not be deprived of a new and interesting transportation service as proposed by the applicant herein, nor should their receipt of said service be delayed by virtue of the Commission's hearing process when none is required (Pursuant to Section 1032 of the Public Utilities Code, the Commission must hold a hearing only when a protestant-carrier holds authority to serve the same territory as that proposed by the applicant). Finally, we note that Orange County includes several major tourist attractions (e.g. Disneyland, Knotts Berry Farm, and Lion Country Safari) and that these facilities attract many additional people to Orange County who may wish to patronize a high-quality passenger stage tour as proposed herein.

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The Commission's Transportation Division recommends that the application be granted as provided in the ensuing Order.

F I N D I N G S

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

1. Applicant seeks authority to operate as a passenger stage corporation providing service between points in Orange County and points in the San Francisco-San Jose area.

2. There is no other transportation company presently offering this type of passenger service to and from points in the Orange County territory.

3. Applicant has expertise and financial resources to institute and maintain the proposed service.

4. The proposed fares appear to be justified.

5. The Commission staff supports the application.

6. 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. A public hearing is not necessary.

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

C O N C L U S I O N S

It is concluded that the sought authority should be granted. Since the summer travel season has already begun and the public will benefit from immediate institution of the service, the following order should be effective the date of signature.

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 granting 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. ✓
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O R D E R

IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted to The Town Tour FunBus Company, Inc., a corporation, authorizing it to extend operations as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between certain points as named in the amended Appendix A, as attached.
2. Appendix A of Decision 85561, is amended by incorporating Second Revised Pages 1 and 2 attached hereto, in revision of First Revised Pages 1 and 2, respectively, and Original Pages 2-A, 2-B, 2-C, 6, 7, 8, 9, and 10.
3. 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 98-Series, and the insurance requirements of the Commission's General Order 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. SS
- (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 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 his¹ operation in such, form, content, and number of copies as the Commission, from time to time, shall prescribe. SS

The effective date of this order is the date
hereof.

Dated AUG 15 1980, at San Francisco, California.

John E. Byron
President
Thomas L. Steegen

Clair J. DeLoach
Thomas M. Griffin
Commissioners

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

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Issued by California Public Utilities Commission.

*Added by Decision No. 92143 Application No. 59612.

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

The Town Tour Funbus Company, Inc., by the certificate of Public Convenience and Necessity granted by the decision noted in the margin, is authorized to transport passengers between points within the County of Orange, and certain territories intermediate and adjacent thereto, and between points in Orange County, on the one hand, *and the points hereinafter described on the other hand, over and along the routes hereinafter described, subject, however, to the authority of this Commission to change or modify said routes at any time and subject to the following provisions:

- (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 operation in either direction, unless otherwise indicated.
- (c) Service on Routes Nos. 1 and 2 shall be available in coordination with events at the Los Alamitos Race Track, Hollywood Park Race Track, The Forum, Los Angeles Coliseum and Sports Arena, and Los Angeles Dodger Stadium.
- (d) Service on Route No. 2, shall be available in coordination with events at the Convention Center.
- (e) Service on Route No. 3, Stadium-East Katella Avenue, is available for regularly scheduled night, day, or special event baseball games of the California Angels at the Anaheim Stadium.
- (f) Service on Route No. 4, Anaheim-Buena Park, shall be operated seven days per week except Christmas.

Issued by California Public Utilities Commission.

*Changed by Decision No. 92143, Application No. 59612.

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

- (g) For Routes Nos. 10, 11, 12, & 13, the Orange County service
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- points may be at the following locations only:

ANAHEIM

Disneyland Hotel	1150 W. Cerritos
Sheraton-Anaheim	1015 W. Ball Road
Grand Hotel	7 Freedman Way
Howard Johnsons	1380 S. Harbor Blvd.
Inn at the Park	1855 S. Harbor Blvd.
Quality Inn	616 W. Convention Way
Anaheim Plaza	500 N. Euclid Street
Holiday Inn	1850 S. Harbor Blvd.
Lamplighter	1759 S. West St.
Apollo	1741 S. West St.
Space Age Lodge	1776 W. Katella
Inn of Tomorrow	1110 Katella Ave.
Golden Forest Inn	1050 W. Katella Ave.
Magic Lamp/Magic Carpet	1016 W. Katella Ave.
Anaheim Convention Center	800 W. Katella Ave.
Jolly Roger	640 W. Katella Ave.
Hamburg House	1770 S. Harbor Blvd.
Fantasy Motel	1734 S. Harbor Blvd.
Hyatt House	1700 S. Harbor Blvd.
Saga Motel	1650 S. Harbor Blvd.
Park Vue Motel	1570 S. Harbor Blvd.
Mecca Motel	1544 S. Harbor Blvd.
Tropicana Motel	1540 S. Harbor Blvd.
Penny Sleeper Inn	1441 S. Manchester
Sandman Motel	912 S. Harbor
Concord	1111 S. Harbor Blvd.
Conastoga Hotel	1240 S. Walnut
Cosmic Age	1717 S. Harbor Blvd.
Galaxy Motel	1735 S. Harbor Blvd.
Town Tour Funbus Terminal	304 Katella Way

BUENA PARK

Buena Park Hotel	7675 Crescent Ave.
Quality Inn	7555 Beach Blvd.
Buena Park Shopping Center	Stanton & La Palma Sts.

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

South Coast Plaza Hotel	666 Anton Blvd.
South Coast Plaza Shopping Cntr.	3333 Bristol St.

FULLERTON

Griswolds	1500 S. Raymond Ave.
Holiday Inn	222 W. Houston Ave.

IRVINE

Airporter Inn Hotel	18700 MacArthur Blvd.
Registry Hotel	18800 MacArthur Blvd.

LAGUNA BEACH

Laguna Hotel	425 S. Coast Highway
Adventure Travel	332 Forest Avenue

LAGUNA HILLS

Laguna Hills Mall	24155 Laguna Hills Mall
Leisure World	Off Moulton Parkway

NEWPORT BEACH

Marriott Hotel	900 Newport Center Drive West
Newporter Inn	1107 Jamboree Road
Fashion Island	62 Fashion Island
Sheraton Hotel	4545 MacArthur Blvd.

SANTA ANA

Saddleback Inn	1660 E. 1st St.
Ramada Inn	1600 E. 1st St.
Irvine Host Best Western Hotel	1717 Dyer Road

WESTMINSTER

Westminster Shopping Center	195 Westminster Mall
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SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS, AND
SPECIFICATIONS (Continued)

- (h) For Routes No. 10, 11, 12 & 13, the Northern California service points may be at the following locations only:

SAN JOSE

Holiday Inn Park	282 Almaden Blvd.
Hyatt house	1740 No. 1st
LeBaron Hotel	1350 No. 1st
Quality Inn	1310 No. 1st

SAN FRANCISCO

Bedford Hotel	761 Post
Hotel California	405 Taylor
Fairmont Hotel	950 Mason
Holiday Inn, Fisherman's Wharf	1300 Columbus
Hyatt Regency	#5 Embarcadero Center
The Mark Hopkins	#1 Nob Hill
The Sir Francis Drake	450 Powell
The Sheraton at Fisherman's Wharf	2500 Mason
San Francisco Hilton	Mason at O'Farrell
The St. Francis	Union Square
The Sheraton Palace Hotel	Market Street at New Montgomery

SOUTH SAN FRANCISCO

San Francisco Airport Hilton	San Francisco International Airport
Royal Inn Airport	275 So. Airport Blvd.
Holiday Inn Airport	245 So. Airport Blvd.

- (1) For Routes Nos. 10, 11, 12 & 13, no passenger shall be carried who does not have, as a point of origin or destination, an authorized service point in Orange County.

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route No. 10 - Orange County North to San Jose and San Francisco
(Via the Coast Route)

First Day:

Commencing from pickup points described in Section 1(g) of this certificate, with the final pickup at the Funbus depot, located at 304 Katella Way, Anaheim; thence via Interstate Route 5 south to Interstate Route 405; thence north on Interstate Route 405 to State Route 101; (Alternate: north on Interstate route 5 to its intersection at Sherman Oaks with State Route 101); thence west and north on State Routes 101 and 1 to State Route 154; thence north on State Route 154 to Santa Ynez; thence west on State Route 246 to Solvang; thence west on State Route 246 to State Route 101; thence north on State Route 101 through Santa Maria, Pismo Beach, Avila Beach and to San Luis Obispo; thence an overnight stay in San Luis Obispo, Morro Bay, Cambria, or Avila Beach.

Second Day:

Continue north on State Route 1 to San Simeon; thence a tour of Hearst's Castle; thence north on State Route 1 via Big Sur to Carmel Valley; thence north on State Route 1 through Castroville to Santa Cruz; thence north on State Route 9 through Felton and via Mt. Hermon Road and State Route 17 to Los Gatos and

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Interstate Route 280; thence north on Interstate Route 280 and via appropriate highways and streets to San Francisco; thence via appropriate highways and streets and State Route 101 to dropoff points described in Section 1(h) of this certificate with the final dropoff point at the Funbus terminal at the Le Baron Hotel, 1350 N. First Street, San Jose. (Alternate: from San Luis Obispo, continue north on State Route 101 to Paso Robles, San Miguel Mission, King City, and to Salinas; thence north through San Martin and Morgan Hill to San Jose and San Francisco.)

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

Route No. 11 - San Jose and San Francisco South to
Orange County (via the inland route)

First Day:

Commencing from pickup points described in Section 1(h) of this certificate, with the final pickup at the Sheraton Palace Hotel, San Francisco; thence north on Interstate Route 80 to Vallejo; thence north on State Route 29 to Napa; thence east on State Routes 121 and 128 and local roads to Interstate Route 80 at Davis; thence on Route 80 to Sacramento; thence tour the Capitol Area; thence east on Interstate Route 80 to Auburn; thence south on State Route 49 to State Route 120; thence east on State Route 120 to Yosemite Lodge and Yosemite Village; thence an overnight stay in the Yosemite Park area. (Alternate, in the event Yosemite is snowed in: instead of traveling State Route 120, then continue south on State Route 49 to Coulterville, Mariposa, and Oakhurst; thence south on State Route 41 to an overnight stay in Fresno (second alternate-same routing but with overnight stay in Sonora).)

Second Day:

Continue south on State Route 41 towards Sierra, Oakhurst, through Coarsegold and to Fresno; thence south on State Route 99 to Visalia; (Alternate: from Fresno east on State Route 180 to Kings Canyon National Park and Sequoia National Park; thence south on State Route 198 through Three Rivers, Tulare, and to Visalia); thence

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SECTION 2. ROUTE DESCRIPTIONS. (Continued)

south on State Route 99 through Delano to Bakersfield; thence southeast on State Route 58 to Tehachapi; thence south on State Route 14 to Mojave; thence south on State Route 14 through Lancaster and Palmdale; thence southeast on State Route 138 to Interstate Route 15 East; thence south on Interstate Route 15 East through San Bernardino and Riverside; thence southwest on State Route 91 to Orange County dropoff points described in Section 1(g) of this certificate. (Alternate: from Bakersfield on Interstate Route 5, through the Ridge Route, to Newhall; thence on Interstate Route 5 to Orange County dropoff points described in Section 1 (g) of this certificate.)

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SECTION 2. ROUTE DESCRIPTIONS (Continued)

Route No. 12 - Orange County North to San Jose and
San Francisco (via the inland route)

Route No. 12 is the reverse of Route No. 11.

Route No. 13 - San Jose and San Francisco South to
Orange County (via the coast route)

Route No. 13 is the reverse of Route No. 10.

(END OF APPENDIX)

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