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Decision No. 93143 JUN 2 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE GRAY LINE TOURS COMPANY for a Certificate of Public Convenience and Necessity to extend operations as a passenger-stage corporation.

**ORIGINAL**  
Application No. 68096  
(Filed November 19, 1980)

OPINION AND ORDER

The Gray Line Tours Company (Gray Line) presently has authority from this Commission to act as a passenger stage corporation (PSC-522) to conduct sightseeing, racetrack special events, and airline terminal operations within points in Southern California as set forth in Appendices A and B of Decision No. 84749 as amended by Decisions Nos. 84915, 85023, 85306, 85634, 87520, 87984, 90179, 90241, 90600, and 92862.

Encompassed within such certificates is the authority to conduct sightseeing tours to the Queen Mary, a retired passenger vessel berthed at Long Beach Harbor, Long Beach.

By this application Gray Line seeks Commission approval to add a new tour to the Hughes Flying Boat (the Spruce Goose) to supplement its existing certificated services in the Long Beach/South Bay area.

Specifically, Gray Line proposes the following be added to its certificate:

Item No. 540 - Tour No. 39

Port of Long Beach:

From Los Angeles to the port of Long Beach visiting points of sightseeing interest such as the Queen Mary and the Hughes Flying Boat (the Spruce Goose), thence, return to Los Angeles over and along the most convenient streets and highways.

Gray Line alleges that public convenience and necessity require the proposed service for the following reasons:

The Queen Mary was one of the more attractive points of tourist interest in Southern California. However, such interest has declined. Recently the management of the Queen Mary has been assumed by the Wrather Corporation, a concern with experience in the entertainment business. Under new management it is anticipated the Queen Mary will again be a viable tourist attraction. Wrather Corporation has undertaken to arrange for the movement of the Spruce Goose, to a site immediately adjacent to the Queen Mary moorage. The purported intent of this move is to preserve the Spruce Goose as a natural heritage and to offer to the public a sightseeing tour of such attraction in conjunction with a tour of the Queen Mary. Further, the present gift-shop complex adjacent to the Queen Mary moorage is to be expanded to provide a variety of business and amusement facilities. While Gray Line is uncertain about precisely when these combined attractions will be open, it is estimated that such will occur in July of 1981.

Gray Line proposes an all-day tour rendered on a year-round basis. During the period mid-June through mid-September, service would be offered daily. During the balance of the year, service would be offered on a less frequent basis. Fares proposed to be charged are \$17.35 per adult and \$8.40 per child. Rules governing service will be as described in the existing certificate issued in said Decision No. 84749.

Appendix B of the application is a map identifying the territorial scope of the authority sought by Gray Line.

Appendix C of the application is an equipment list identifying the passenger-carrying vehicles which Gray Line is presently using and which it proposes to use if granted the authority sought.

Gray Line avers that the granting of its request will have no adverse effect upon the environment and states that it is unaware of any common carrier which would be adversely affected by the granting of its application.

The application was duly noticed on the Commission's Daily Calendar on November 21, 1980. Copies of the application were served on the County of Los Angeles, the County of Orange, the City of Long Beach, and the Orange Coast Sightseeing Company, Anaheim.

The Commission's Transportation Division staff has reviewed the application and recommends that in the absence of protest or request for public hearing it be granted by ex parte order. No protests have been received.

#### Findings of Fact

1. Gray Line has the operating personnel, equipment, and the financial ability to conduct the operation as proposed.
2. Public convenience and necessity require the additional operations proposed by Gray Line.
3. It can be seen with certainty that there is no possibility that the passenger stage operation involved in this proceeding may have significant effect on the environment.
4. A public hearing is not necessary.

#### Conclusion of Law

A certificate of public convenience and necessity to operate as a passenger stage corporation should be granted to Gray Line to the extent set forth in the ensuing order.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

✓  
SS 1. A certificate of public convenience and necessity is granted to applicant, The Gray Line Tours Company, a corporation, authorizing it to extend operations as a passenger stage corporation, as set forth below.

2. Appendix A of Decision No. 84749, as heretofore amended, is further amended by incorporating Sixth Revised Page 6 and Fourth Revised Page 23 attached hereto, canceling Fifth Revised Page 6 and Third Revised Page 23, respectively.

✓  
SS 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 cancelation of the authority.

- ✓  
SS 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.

- 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 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 <sup>shall be</sup> ~~is~~ thirty days after the date hereof.

Dated JUN 2 1981, at San Francisco, California.

John E. Boyer  
President

Richard D. ...

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Commissioners

Commissioner Priscilla C. Grew, 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 93143, Application No. 60096.

Item  
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## SECTION III, TOURS AUTHORIZED FROM LOS ANGELES AREA (Contd.)

- 525 Greater Los Angeles Tour: This tour covers, by way of example, points of interest located within the Cities of Los Angeles, Burbank, Universal City, Pasadena, San Marino, Arcadia, Glendale, La Canada-Flintridge, South Pasadena, and Beverly Hills, and the unincorporated portions of Los Angeles County encompassed within the city limits of Los Angeles, such as the Los Angeles Civic Center, Dodger Stadium, Coliseum and Sports Arena, St. Vincent Church, St. Sophia's Cathedral, Farmers Market and Mann's Chinese Theatre, Beverly Hills Business District, West Hollywood Decorators & Antiques District, Glendale Forest Lawn, Pasadena Rose Bowl, California Institute of Technology, the San Marino, South Pasadena, and La Canada-Flintridge residential districts, the Arcadia-Los Angeles County Arboretum, Santa Anita Racetrack, California Institute of Technology Jet Propulsion Laboratory, and Descanso Gardens; provided, however, that operations within the City of Beverly Hills shall be restricted to the traversal of Santa Monica and Beverly Boulevards.
- 530 Newport Beach Shopping and Sightseeing: Leaving Los Angeles via the Cities of Anaheim, Orange, Santa Ana, Tustin, and Irvine to Newport Beach and return, viewing such points of interest as Disneyland, Anaheim Stadium, the University of California at Irvine, the Orange County Airport, Balboa Island, Beacon Bay, and the Balboa Bay Club, with stops en route for purposes of shopping at such points as Fashion Island (Newport Beach) and lunch at Lido Island.
- 535 Newport Beach Harbor Cruise and Shopping Tour: Los Angeles to Newport Beach and return over the most appropriate and scenic routes, visiting en route such points of interest as Rogers Gardens, shopping areas, yacht marinas, Lido Village, and residential and scenic areas. This tour will additionally include a fully narrated cruise of Newport Harbor.
- \*540 Port of Long Beach: From Los Angeles to the Port of Long Beach visiting such points of sightseeing interest as the Queen Mary and the Hughes Flying Boat and return to Los Angeles along the most convenient and appropriate routes.

Issued by California Public Utilities Commission.

\*Added by Decision 93143, Application No. 60096.