

ORIGINAL

93225 JUN 16 1981

Decision

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of MAURICE L. DAVIS, an individual)
dba DAVIS DIVE TOURS, for)
Certificate of Public Convenience)
and Necessity to operate a)
passenger touring service between)
points in San Francisco City and)
County and points in Fort Ross,)
Sonoma County, California.)

Application 60399
(Filed March 27, 1981)

O P I N I O N

By application filed March 27, 1981, Maurice L. Davis, (applicant) dba Davis Dive Tours, seeks a certificate of public convenience and necessity to establish and operate an on-call automotive tour service for transportation of passengers and their baggage between points in the City and County of San Francisco and Fort Ross, Sonoma County.

The proposed service would leave San Francisco at 7:00 a.m., proceed across the Golden Gate Bridge on U.S. Highway 101 to Mill Valley, connect with California State Highway 1, and arrive at Bodega Bay at 8:00 a.m. After breakfast, depart Bodega Bay at 9:00 a.m. and arrive in Fort Ross at 10:00 a.m. Depart from Fort Ross at 4:00 p.m. via California State Highway 1 to Jenner, connect with California State Highway 116 to U.S. 101, and proceed south on U.S. 101 to San Francisco. The proposed fare is \$100 and will include dinner while in Fort Ross. Service will be provided in a leased 1981 Ford 12-passenger van.

Applicant states there are no passenger stage or truck lines, steam railroads, or electric railroads now operating between any of the points proposed to be served which the proposed service might affect.

Applicant contends that it has sufficient financial resources to institute and operate the proposed service. The financial statement attached to the application shows assets of \$341,550, liabilities of \$1,758, for a net worth of \$339,792.

In support of its request, applicant states there is a current demand for scuba diving and recreational tours to the northern California coast and Fort Ross area and that no such service is presently available or provided.

By letter dated April 24, 1981, Greyhound Lines, Inc. (Greyhound) stated that it would not oppose the application provided applicant does not propose and authority is not granted to provide service between Cotati and San Francisco.

Application 60399 was noticed on the Commission's Daily Calendar of March 31, 1981. Copies of the application were served upon interested or affected parties. No protests to the application were received. A public hearing is not required.

Based on the foregoing, the Commission concludes that the issuance of a certificate of public convenience and necessity is in the public interest.

Findings of Fact

1. Applicant possesses the ability, equipment, and financial resources to perform the proposed service.
2. There is need for applicant's proposed service.
3. There is no known opposition to the proposed service.
4. Public convenience and necessity require that the service proposed by applicant be certificated.

A.60399 ALJ/km/ks *

5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion of Law

The application should be granted as 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:

1. A certificate of public convenience and necessity is granted to Maurice L. Davis authorizing him to operate as a passenger stage corporation, as defined in PU Code Section 226, between the points and over the routes set forth in Appendix A, to transport persons and their baggage.

2. Applicant shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. State in his tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 or more days after this order is effective.
- d. Comply with General Orders Series 79, 98, 101, and 104, and the California Highway Patrol safety rules.

- e. Maintain accounting records in conformity with the Uniform System of Accounts.

This order becomes effective 30 days from today.

Dated JUN 16 1981, at San Francisco, California.

I concur but this is the type of operation which I believe should not be regulated since transportation appears to be only incidental to the primary activity.

Richard D. [Signature]
Leonard W. [Signature]

John E. [Signature] President
Richard D. [Signature]
Leonard W. [Signature]
[Signature]
Francis C. [Signature] Commissioners

Appendix A

Maurice L. Davis
Doing Business As

Original Title Page

DAVIS DIVE TOURS

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC - 1167

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 93225
dated JUN 16 1981, of the Public Utilities
Commission of the State of California, in Application 60399.

DAVIS DIVE TOURS
(PSC-1167)

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Issued under authority of Decision _____,
dated SEP 16 1981, of the Public Utilities
Commission of the State of California, in Application 60399.

DAVIS DIVE TOURS
(PSC-1167)SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS.

Maurice L. Davis, doing business as, DAVIS DIVE TOURS by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage, between San Francisco and Fort Ross 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) The term "on-call" as used herein refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.
- (c) All service herein authorized shall be limited to the transportation of round-trip passengers only. This restriction shall not prevent stopovers for the purpose of permitting sightseeing passengers to visit various points of interest along the route.
- (d) All tours shall be conducted on a continuous basis except for stops for sightseeing, meals and lodging.
- (e) No service shall be provided to or between intermediate points.

Issued by California Public Utilities Commission.

Decision 93225, Application 60399.

DAVIS DIVE TOURS
(PSC-1167)

SECTION 2. ROUTE DESCRIPTIONS.

Route No.

1

San Francisco-Port Ross

Beginning in the City of San Francisco thence via the appropriate streets and highways to U.S. Highway 101 and State Highway 1 to Fort Ross. Return trip from Fort Ross via State Highway 1, State Highway 116 and U.S. Highway 101 and the appropriate streets and highways in the City of San Francisco to the point of the beginning.

Issued by California Public Utilities Commission.

Decision 93225, Application 60399.