

Decision 93605 OCT 6 1981**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application )  
of THE BUS THAT GOES IN CIRCLES, )  
INC., a corporation, for authority )  
to transport passengers and baggage )  
between Coronado, San Diego, La )  
Jolla, Anaheim, and Los Angeles, )  
all points in California. )

Application 60576  
(Filed May 18, 1981)

O P I N I O N

Applicant, The Bus That Goes In Circles, Inc., seeks a certificate of public convenience and necessity to operate as a passenger stage corporation to transport passengers and their baggage between Coronado, San Diego, La Jolla, Anaheim, and Los Angeles as described in Exhibit A to the application. Applicant proposes to operate service on a regularly scheduled basis with one northbound trip and one southbound trip per day initially, using a 38-passenger bus for such operation.

Notice of filing of the application appeared in the Commission's Daily Calendar dated May 22, 1981 and copies of the application were served upon two major intrastate and interstate passenger stage carriers holding passenger stage certificates operating within the proposed service area contemplated by applicant. Greyhound Lines, Inc. (Greyhound), holder of a Class A certificate, protested the application. By letter to the Commission dated July 21, 1981, applicant

informed the Commission that an agreement had been reached with Greyhound whereby Greyhound agreed to withdraw its protest to the granting of the requested authority in return for applicant's acceptance of the following restrictions being incorporated into any certificate granted applicant for the proposed service:

1. Restricted to narrated sightseeing tours.
2. Restricted to one-way tours of a maximum duration of one day.
3. Restricted to the operation of a maximum of two schedules per day in any one direction.
4. Restricted to the transportation of passengers subject to prior or subsequent movement by air, rail, or water.

Applicant has agreed to the above restrictions, and by letter dated July 21, 1981 Greyhound has withdrawn its protest to this application.

Applicant is a California corporation currently engaged in the transportation of passengers between points and places within the City of San Diego under "Vehicle for Hire" permits issued by the City of San Diego. Applicant is aware that all its routes will fall under the Commission's jurisdiction should this application for a certificate be granted since more than 2% of its operations will go beyond a city limit.

Applicant's proposed initial schedule and fares in connection with its proposed service are as follows:

Proposed Initial Schedules

<u>Read Down</u>		<u>Read Up</u>
8:00 a.m.	Coronado Hotel del Coronado	6:10 p.m.
8:20 a.m.	San Diego Holiday Inn-Embarcadero	5:50 p.m.
8:30 a.m.	Sheraton Harbor Island	5:40 p.m.
8:50 a.m.	Town & Country Hotel	5:20 p.m.
9:10 a.m.	Vacation Village	5:00 p.m.
9:30 a.m.	La Jolla (San Diego) Summer House Inn	4:40 p.m.
11:55 a.m.	Anaheim Disneyland Hotel	2:15 p.m.
12:40 p.m.	Los Angeles Bonaventure Hotel	1:30 p.m.

Proposed Fares

	<u>Adult</u>	<u>Child 5-11</u>
Between San Diego and Anaheim	\$14.25	\$7.15
Between San Diego and Los Angeles	19.50	9.75
Between Anaheim and Los Angeles	5.40	2.70

Applicant currently operates a fleet of nine diesel-powered transit coaches. However, for the proposed service it intends to obtain intercity equipment of approximately 38-passenger capacity with air-conditioning and underfloor baggage compartments. Applicant alleges that the cities proposed to be served by it are all characterized as being visited continuously by out-of-state tourists, large numbers of whom are from the eastern parts of the United States. Many of these people arrive in Los Angeles or San Diego by air and depart from the other city when leaving the area. By using the service proposed by applicant, a visitor will be able to board the bus at centrally located hotels within each city and intermediate cities and accomplish a transfer to another city in the Los Angeles-San Diego corridor while enjoying a narrated scenic coastal route en route.

Applicant alleges the proposed service will not have a detrimental environmental impact since it will displace vehicle trips and eliminate vehicle miles traveled by potential patrons of the service using low occupancy, less fuel-efficient vehicles.

Applicant alleges it has the financial ability to render this service. Its most recent financial statement indicates current assets of \$50,483 and current liabilities of \$44,279. Applicant has recently entered into a two-year contract with the Strand Express Joint Powers Agency and contemplates income in the amount of \$727,000 during this period from which it expects to derive a profit during those two years.

If applicant ever desires to change the restrictions placed in its certificate, in response to Greyhound's protest,

it may apply for modification of its operating authority. Since there is a public need for the proposed service, the following order should be effective today.

Findings of Fact

1. Applicant has the ability, experience, and financial resources to perform the proposed service.

2. Applicant's proposed service contemplates the use of approximately 38-passenger capacity buses for transporting visitors arriving in Los Angeles or San Diego by air, sea, or rail to the other city, along narrated scenic coastal routes, from where they will depart this area for other destinations.

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.

Conclusions of Law

1. A public hearing is not necessary.

2. Public convenience and necessity require that the requested authority should be issued, subject to the restrictions provided for in the following 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 The Bus That Goes In Circles, Inc., a corporation, authorizing it to operate as a passenger stage corporation, as defined in Public Utilities Code Section 226, between the points and over the routes set forth in Appendix A, to transport persons and baggage, subject to the following restrictions:

- a. The proposed service is restricted to narrated sightseeing tours.
  - b. Travel originating in either San Diego or Los Angeles shall be restricted to one-way tours of a maximum of one day.
  - c. Applicant is limited to operating a maximum of two schedules per day in any one direction.
  - d. Applicant is restricted to the transportation of passengers subject to prior or subsequent movement by air, rail, or water.
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 its 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.

3. Applicant shall file tariffs and timetables of its present San Diego operations within 120 days after this order is effective.

This order is effective today.

Dated October 6, 1981, at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. GRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. GREW  
Commissioners

*I certify that this decision was approved  
by the Labor Commissioners today.*

*Joseph E. Roberts*  


T/md

Appendix A

The Bus That Goes in Circles, Inc.

Original Title Page

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC - 1187

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

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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 93605, dated OCT 6 1981,  
of the Public Utilities Commission of the State of California in Application 60576.



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Issued by California Public Utilities Commission.

Decision 93605, Application 60576.

(PSC - 1187)

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

The Bus That Goes In Circles, Inc. 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 points in San Diego and Los Angeles and certain intermediate and adjacent territories over and along the routes described, subject, however, to the authority of this Commission to change or modify the 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) Applicant shall not pick up or discharge passengers except within the limits of the specified service areas as set forth. This restriction shall not prevent stopovers for the purpose of permitting sightseeing passengers to visit various points of interest along the route.
- (d) Routes 1 and 2 shall not be consolidated or operated in combination with one another.

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Decision 93605, Application 60576.

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

(Continued)

(e) Route 2 is restricted to:

- (1) Narrated sightseeing tours.
- (2) One-way tours of a maximum of one day.
- (3) A maximum of two schedules per day in any one direction.
- (4) The transportation of passengers subject to prior or subsequent movement by air, rail, or water.
- (5) The transportation of passengers originating at or destined to the Bonaventure Hotel (Los Angeles) or Disneyland Hotel (Anaheim).

(PSC - 1187)

## SECTION 2 ROUTE DESCRIPTIONS.

Route 1 - City of San Diego Sightseeing Transportation

Commencing at the Dana Inn, West Mission Bay Road, then via the most convenient streets and highways to the Rodeway Inn, Scott Street at Nimitz with stops at the following points:

- |                               |                                     |
|-------------------------------|-------------------------------------|
| 1. Dana Inn                   | 14. U.S. Grant Hotel/Westgate Hotel |
| 2. Bahia Motor Hotel          | 15. Pickwick Hotel                  |
| 3. Hyatt Islandia Hotel       | 16. Hotel San Diego                 |
| 4. Vacation Village           | 17. Amtrak Depot                    |
| 5. Sea World                  | 18. Harbor Excursion                |
| 6. San Diego Hilton           | 19. Holiday Inn Embarcadero         |
| 7. Visitor Information Center | 20. Lubach's Restaurant             |
| 8. Old Town/Heritage Park     | 21. San Diego International Airport |
| 9. Hotel Circle               | 22. Harbor Island                   |
| 10. San Diego Zoo             | 23. Royal Quality Inn/Posada Inn    |
| 11. Balboa Park Museum        | 24. Sports Fishing Landing          |
| 12. Sea Port Village          | 25. Shelter Island                  |
| 13. Gas Lamp Quarter          | 26. Rodeway Inn                     |

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SECTION 2 : ROUTE DESCRIPTIONS.

Route 2 - San Diego-Los Angeles Sightseeing Transportation

Commencing at the Hotel Del Coronado thence via the most convenient and appropriate streets and highways to the Bonaventure Hotel in downtown Los Angeles with stops at the following points:

1. Hotel Del Coronado - Coronado
2. Holiday Inn Embarcadero - San Diego
3. Sheraton Harbor Island - San Diego
4. Town and Country Hotel - San Diego
5. Vacation Village - San Diego
6. Summer House Inn - La Jolla
7. Disneyland Hotel - Anaheim
8. Bonaventure Hotel - Los Angeles

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