

Decision 93615 OCT 6 1981**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Yvonne Walker and Bette Lerma, dba)
 Travel Fantasies, aka Fantasy Trippe,)
 for authority to operate as a passenger)
 stage authority in tour service to)
 Marine World and Marriott's Great)
 America as described herein.)

Application 60699
 (Filed June 29, 1981)

O P I N I O N

By this application, Yvonne Walker and Bette Lerma, doing business as Travel Fantasies and also known as Fantasy Trippe (Fantasies), seek ex parte authority to operate as a passenger stage in tour service to Marine World/Africa U.S.A. and to Marriott's Great America on a seasonal basis. Further, Fantasies sought interim authority to provide service through October 1981 should any protest require hearings.

The proposed route will be from San Francisco hotels and motels southward on Highway 101 and return. The proposed timetable is:

<u>Period</u>	<u>Frequency</u>	<u>Pickup Locations</u>
June 1 - Labor Day	Every day	Hotel pickup on an on-call basis as requested
May, Sept.-Oct.	Weekends	
Easter Week	Daily	

Two 14-passenger Ford Vans, two 16-passenger Mercedes Benz Vans, or one 21-passenger Brougham Microbus will be used.

The proposed fares are:

<u>Tour</u>	<u>Children(2-11)</u>	<u>Adults(12-54)</u>	<u>Seniors(55+)</u>
Marine World	\$9.00	\$12.00	\$10.80
Marriott's	9.00	12.00	10.80

Fantasies states that The Gray Line, Inc. of San Francisco, present holder of a permit for these routes, has ceased operation of these tours and has no plans to reinstate them at this time. Fantasies also states that this has left the amusement parks with no per person

service to their facilities, and this is causing difficulty for the individual who wishes to visit the park and cannot without transferring on SamTrans or renting a car. Fantasies further states that it is willing to provide that service at the individual's request.

Exhibit A to the application shows total assets of \$87,858 including \$65,878 in vehicles and total liabilities of \$61,000 including \$43,000 owing on its bus and \$18,000 in notes payable. The data indicate a net worth of \$26,858 and that Fantasies is able to provide the requested service.

Fantasies obtained a permit (TCP 1352-P) to operate as a charter-party carrier of passengers on January 25, 1980 and has been conducting charter business since that time.

On May 20, 1980 Fantasies received authority to conduct per capita tours to the Sonoma County wine area, to the San Jose area, and to a health spa in Contra Costa County (D.91812).

On February 18, 1981 Fantasies was denied authority to add sightseeing tours: (1) within San Francisco, (2) to Marine World/Africa U.S.A., and (3) to Muir Woods/Sausalito, because it had not demonstrated financial ability (D.92727).

Application 60699 was noticed on the Commission's Daily Calendar of July 6, 1981. Copies of the application were sent to the counties affected and to The Gray Line, Inc. No protests were received. A public hearing is not required.

The Commission concludes that the issuance of a certificate of public convenience and necessity is in the public interest.

Findings of Fact

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

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.

Conclusions of Law

1. The application should be granted as set forth in the ensuing order.

2. The effective date of this order should be the date of signature to allow Fantasies to provide its seasonal service.

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 Yvonne Walker and Bette Lerma authorizing them to expand their operations as a passenger stage corporation, as defined in Public Utilities Code § 226. Appendix A of Decision 91812 is amended by replacing Original Page 1 with First Revised Page 1, adding Original Page 1a, and replacing Original Page 2 with First Revised Page 2 (attached).

2. Applicants 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 their 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 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 above Commissioners today.

John E. Bryson


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

Yvonne Walker and Bette Lerma, a partnership doing business as Travel Fantasies, by the Certificate of Public Convenience and Necessity to operate as a passenger stage corporation granted in the decision noted in the margin, are authorized to transport passengers for sightseeing purposes between the City of San Francisco, on the one hand, and certain points in the City of San Jose, *Marriott's Great America in Santa Clara, *Marine World Africa U.S.A. in San Mateo County, Russian River wineries in Sonoma County and Renaissance West Health Spa in Contra Costa County, on the other hand, over and along the routes, places and points described subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- a. Service authorized shall be limited to the transportation of round-trip passengers.
- b. Vehicles used in this operation shall not exceed 22-passenger seating capacity.
- c. When route descriptions are given in one direction, they apply in either direction unless otherwise indicated.
- d. Service will be provided on the following days for each of the tours:

San Jose - Tuesdays, Thursdays, and Saturdays
Russian River Wine Tour - Wednesdays, Fridays,
and Sundays
Renaissance West Health Spa - Sundays, Tuesdays,
and Thursdays

Issued by California Public Utilities Commission.

*Added by Decision 93615, Application 60699.

SECTION II. TOUR DESCRIPTIONS.

TOUR

1 San Jose

Commencing from the City and County of San Francisco, then over Highway 280, over and along the most appropriate streets, roads, and highways to Los Gatos Old Town Shopping Center, Los Gatos, and to certain points of interests in the City of San Jose such as the Rosicrucian Museum, Winchester Mystery House, and the Rifle Museum. Return via Highway 101 to San Francisco.

2 Russian River Wine Tour

Commencing from the City and County of San Francisco, then over Highway 101, over and along the most appropriate streets and roads to the wineries located adjacent to U.S. Highway 101 in Sonoma County north of River Road.

3 Renaissance West Health Spa

Commencing from the City and County of San Francisco, then over Highways 80, 24, 580 and 680 to Danville and then over the most appropriate streets and roads to Blackhawk Road, and then to Renaissance West Health Spa located near Blackhawk Ranch.

*4 Marine World Africa U.S.A. and Marriott's Great America

Commencing from the City and County of San Francisco, then over Highway 101 and over and along the most appropriate streets and roads to Marine World Africa U.S.A. and Marriott's Great America.

(End of Appendix A)

Issued by California Public Utilities Commission.

*Added by Decision 93616, Application 60699.