

ORIGINAL

Decision 93704 NOV 3 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Kathy (sic) Branden for certificate of public convenience and necessity to operate The Pine and The Palm Tour Service between the City of Santa Barbara, California and Solvang, California and various points of interest in between.

Application 60630
(Filed June 5, 1981)

O P I N I O N

Kathryn Branden (applicant), doing business as The Pine and The Palm Tour Service, seeks a certificate of public convenience and necessity to operate as a passenger stage corporation to transport passengers "on-call" for sightseeing tours between hotels/motels in the Cities of Santa Barbara, Goleta, and Montecito, on the one hand, and points of interest in the City and County of Santa Barbara, on the other hand.

Applicant proposes to offer seven tours of the Santa Barbara County area as follows:

Tour 1 - Mountain Hideaway Adventures

Tour to San Marcos Pass, Los Padres National Forest, and Santa Ynez.

Tour 2 - Santa Barbara Beach and City Tour

Tour to the Santa Barbara Riviera, Hope Ranch, and Montecito.

Tour 3 - Red Rock Wilderness Excursion

Tours to Los Padres National Forest.

Tour 4 - Solvang

Tour to San Marcos Pass, Los Padres National Forest, and Solvang.

Tour 5 - Seven Falls Adventure

Tour to Tunnel Road hiking trail in Los Padres National Forest.

Tour 6 - Figueroa Mountain Express

Tour to San Marcos Pass, Los Padres National Forest, and the Figueroa Mountain Range.

Tour 7 - Santa Barbara Botanic Gardens and Scoffield Park, Santa Barbara

Tour to the Santa Barbara Botanic Gardens and Scoffield Park, Santa Barbara.

A description of the proposed tours and the time schedules along with the intended tariff and its rules are contained in Exhibit A of the application.

A map describing routes is shown in Exhibit B of the application.

Applicant states that she plans to purchase a late model Ford 10-passenger van to be used in providing the service.

A statement of financial condition outlined in the application shows applicant's net worth of \$17,200. Applicant alleges that public convenience and necessity require granting of the authority sought for the following reasons:

- a. The proposed service is not offered by any other carrier in the area where applicant will conduct the tours.
- b. The service is especially unique in character which applicant believes will offer a special attraction to out-of-town visitors and local residents.
- c. Applicant claims to have historical knowledge regarding the areas she proposes to serve and plans to narrate the history which she implies will enhance the tour to the benefit of participants.

Applicant asserts that the proposed service will not have an adverse impact upon the environment but instead will reduce traffic congestion, smog, and energy consumption because the service will offer a larger passenger-carrying vehicle alternative to use of the private automobile.

The application was listed in the Commission's Daily Calendar on June 10, 1981, and copies of the application were served on the City and County of Santa Barbara and Greyhound Lines, Inc. (Greyhound). On July 2, 1981, W. A. Martin, manager, Operating Rights and Commerce for Greyhound, wrote that on June 29, 1981 he held a telephone conversation with applicant during which he conveyed the facts and terms of restrictions which, if included in the proposed service, would satisfy Greyhound's interest in her application. A copy of an attached letter dated June 29, 1981 from applicant to the Commission requested that any grant of authority to Application (A.) 60630 be restricted as follows:

1. Only one-day, on-call, round-trip sight-seeing tours to be conducted.
2. Tours to Solvang would be restricted to the operations of no more than two hours per week, with no more than one tour operated per weekend.

An original copy of the above letter was received at the Commission in San Francisco, time-stamped on July 31, 1981.

There has been no other objection to the application.

Findings of Fact

1. Applicant seeks a certificate of public convenience and necessity to operate as a passenger stage corporation to transport passengers on-call for sightseeing tours between hotels/motels in the Cities of Santa Barbara, Goleta, and Montecito, on the one hand, and points of interest in the City and County of Santa Barbara, on the other hand.

2. Applicant possesses the management ability and financial resources to perform the proposed service.
3. Public convenience and necessity require that applicant's proposed service be certificated.
4. There are no protests to the application.
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 Commission concludes that A.60630 should be granted as set forth in the ensuing order.
2. The following order should be effective on the date of signature since there is a demonstrated present need for applicant's service.
3. A public hearing is not necessary.
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 Kathryn Branden, doing business as The Pine and The Palm Tour Service, authorizing her 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.
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 her tariffs and timetables when service will start; allow at least 10 days' notice to the Commission; and make timetables and tariffs effective 10 days 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 NOV 3 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

T/am

Appendix A

Kathryn Branden, an individual
doing business as
THE PINE AND THE PALM TOUR SERVICE

Original Title Page

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC - 1177

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

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 93704, dated NOV 3 1981
of the Public Utilities Commission of the State of California, in
Application 60630.

T/am

Appendix A

Kathryn Branden, an individual
doing business as
THE PINE AND THE PALM TOUR SERVICE
(PSC-1177)

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Appendix A

Kathryn Branden, an individual Original Page 2
doing business as
THE PINE AND THE PALM TOUR SERVICE
(PSC - 1177)

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

Kathryn Branden, an individual, doing business as The Pine and The Palm Tour Service, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to operate as a passenger stage corporation to transport passengers "on-call" for sightseeing tours between hotels/motels in the Cities of Santa Barbara, Goleta, and Montecito, on the one hand, and points of interest in the City and County of Santa Barbara, on the other hand, over and along the routes described, subject to the authority of this Commission to change or modify these 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 operations in either direction unless otherwise indicated.
- c. Only one-day, on-call, round-trip sightseeing tours shall be conducted, EXCEPT:

Tour #2 - Solvang - shall be restricted to the operation of no more than two tours per week, with no more than one tour operated per weekend.

Issued by California Public Utilities Commission.

Decision 93704, Application 60630.

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

- d. The term "on-call" as used refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables of The Pine and The Palm Tour Service shall show the conditions under which each authorized on-call service will be rendered.
- e. All service authorized shall be limited to the transportation of round-trip passengers only.
- f. Applicant shall not pick up or discharge passengers, except at the points and places set forth. This restriction shall not prevent stopovers for the purpose of permitting sightseeing passengers to visit various points of interest along the route.
- g. All tours shall be conducted on a continuous basis except stops necessary for sightseeing, shopping, and/or meals.
- h. Tour stops may be eliminated at the discretion of the individual group. The carrier may make alterations in the tour itinerary within the limits of the authority granted.

SECTION 2. AUTHORIZED POINTS OF PICKUP AND DISCHARGE.

Best Western El Patio	- 336 W. Cabrillo Blvd., Santa Barbara
La Casa Del Mar	- 28 W. Cabrillo Blvd., Santa Barbara
Ambassador By The Sea	- 202 W. Cabrillo Blvd., Santa Barbara
Pacific Park Motel	- 222 W. Cabrillo Blvd., Santa Barbara
La Playa Motel	- 212 W. Cabrillo Blvd., Santa Barbara
Colonial Motel	- 206 Castillo St., Santa Barbara
King's Inn	- 1128 Castillo St., Santa Barbara
Tropicana Manor Motel	- 233 Castillo St., Santa Barbara
Tides Motel	- 116 Castillo St., Santa Barbara
Polynesian Motel	- 433 W. Montecito, Santa Barbara
The Schooner Inn	- 533 State St., Santa Barbara
Marina Beach Motel	- 21 Bath St., Santa Barbara
Sand Castle Motor Lodge	- 18 Bath St., Santa Barbara
Franciscan Motel	- 109 Bath St., Santa Barbara
Western Village Motel	- 117 Bath St., Santa Barbara
Blue Sands Motel	- 421 S. Milpas St., Santa Barbara
Ming Tree Motel	- 930 Orilla Del Mar, Santa Barbara
Pacific Crest Motel	- 433 Corona Del Mar, Santa Barbara
Tahitian Motel	- 1555 Jameson Lane, Santa Barbara
Sheraton Santa Barbara	- 1111 E. Cabrillo Blvd., Santa Barbara
Santa Barbara Inn	- E. Cabrillo at Milpas, Santa Barbara
De Anza Inn	- 1188 Coast Village Rd., Santa Barbara
Santa Barbara Biltmore	- 1260 Chammel Drive, Santa Barbara
Miramar Hotel	- 1555 S. Jameson La. Santa Barbara
San Ysidro Ranch	- 900 San Ysidro Lane, Santa Barbara

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Decision 93704, Application 60630.

SECTION 2. AUTHORIZED POINTS OF PICKUP AND DISCHARGE. (Continued)

El Prado Motels	- 1601 State St., Santa Barbara
Encina Lodge	- 2220 Bath St., Santa Barbara
Presidio Motel	- 1620 State St., Santa Barbara
Travelodge, City	- 1816 State St., Santa Barbara
Vagabond Thrifty Lodge	- 1920 State St., Santa Barbara
Upham Hotel	- 1404 De La Vina, Santa Barbara
Hacienda Motel	- 3643 State St., Santa Barbara
Holiday Lodge	- 2825 State St., Santa Barbara
Best Western Pepper Tree	- 3850 State St., Santa Barbara
Petite Chateau Inn	- 3055 De La Vina, Santa Barbara
Quality Inn Sandman	- 3714 State St., Santa Barbara
Sunset Motel	- 3504 State St., Santa Barbara
Sandpiper Lodge	- 3525 State St., Santa Barbara
Vagabond Motel	- 2819 State St., Santa Barbara
El Encanto Hotel	- 1900 Lasuen Rd., Santa Barbara
Holiday Inn	- 5650 Calle Real, Goleta
Turnpike Lodge	- 4770 Calle Real, Goleta

Appendix A

Kathryn Branden, an individual
doing business as
THE PINE AND THE PALM TOUR SERVICE
(PSC - 1177)

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SECTION 3. ROUTE DESCRIPTIONS.

Route 1. Mountain Hideaway Adventure Tour

Commencing at any of the authorized pickup points listed in Section 2 of this Appendix A, then over the most direct and appropriate route to San Marcos Pass, Los Padres National Forest, and Santa Ynez, and return.

Route 2. Santa Barbara Beach and City Tour

Commencing at any of the authorized pickup points listed in Section 2 of this Appendix A, then over the most direct and appropriate route to the Santa Barbara Riviera, Hope Ranch, and Montecito, and return.

Route 3. Red Rock Wilderness Excursion Tour

Commencing at any of the authorized pickup points listed in Section 2 of this Appendix A, then over the most direct and appropriate route to Los Padres National Forest, and return.

Route 4 - Solvang Tour

Commencing at any of the authorized pickup points listed in Section 2 of this Appendix A, then over the most direct and appropriate route to San Marcos Pass, Los Padres National Forest, and Solvang, and return.

Route 5 - Seven Falls Adventure Tour

Commencing at any of the authorized pickup points listed in Section 2 of this Appendix A, then over the most direct and appropriate route to the Tunnel Road hiking trail in Los Padres National Forest, and return.

Issued by California Public Utilities Commission.

Decision 93704, Application 60630.

Appendix A

Kathryn Branden, an individual
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SECTION 3. ROUTE DESCRIPTIONS. (Continued)

Route 6. Figueroa Mountain Express Tour

Commencing at any of the authorized pickup points listed in Section 2 of this Appendix A, then over the most direct and appropriate route to San Marcos Pass, Los Padres National Forest, and the Figueroa Mountain range, and return.

Route 7. Santa Barbara Botanic Gardens and Scoffield Park,
Santa Barbara Tour

Commencing at any of the authorized pickup points listed in Section 2 of this Appendix A, then over the most direct and appropriate route to the Santa Barbara Botanic Gardens and Scoffield Park, Santa Barbara, and return.