

Decision No. 60457

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
CLYDE THOMAS and DON CHARLE, doing)	
business as PACIFIC-CATALINA PASSENGER)	
SERVICE, a partnership, for a certifi-)	
cate of public convenience and)	Application No. 41153
necessity to establish and operate a)	
passenger service by vessels between)	
Long Beach and Catalina Island.)	

ORDER REVOKING OPERATIVE RIGHTS

By Decision No. 58701, dated July 1, 1959, in this proceeding, the Commission, on an interim basis, granted to Clyde Thomas, Don Charle and Alfred G. Burke, a partnership doing business as Pacific-Catalina Passenger Service, a certificate of public convenience and necessity authorizing the establishment and operation of a service as a common carrier for the transportation of persons by vessel between the Pacific Landing in Long Beach and Avalon on Santa Catalina Island.

The certificate was granted on a permanent basis by Decision No. 59425, dated December 21, 1959, in this proceeding, subject, among other things, to the following conditions:

"That the authority herein granted shall not become effective, and applicant shall not commence operations, until it has obtained a satisfactory vessel and submitted the specifications thereof to this Commission for approval.

"That the authority herein granted shall terminate on June 1, 1960, unless applicant prior thereto, shall have complied with all of the foregoing conditions and service regulations."

By letter dated May 26, 1960, Clyde Thomas, as a partner and attorney for the partnership, informed the Commission that Don Charle and Alfred G. Burke were selling their interest in the partnership; that he could do nothing without a boat and had offered to help reorganize the firm; that his offer was refused;

that there had been no partnership meeting; and that he had no knowledge of anything else being done.

In the circumstances, it appears, and the Commission finds, that applicants are not operating the transportation service, nor have they obtained a satisfactory vessel or submitted the specifications thereof to the Commission for approval. The Commission is of the opinion and finds that such circumstances constitute good cause for the revocation of the certificate and the cancellation of tariffs applicable thereto.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That the certificate of public convenience and necessity granted Clyde Thomas, Don Charle and Alfred G. Burke, a partnership, doing business as Pacific-Catalina Passenger Service, by Decisions Nos. 58701, dated July 1, 1959, and 59425, dated December 21, 1959, in Application No. 41153, is hereby revoked.

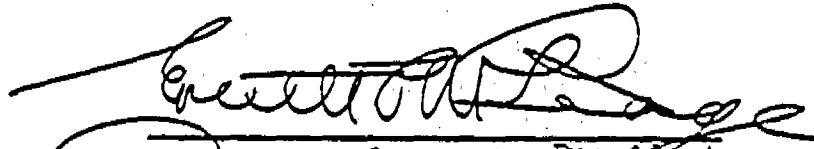
(2) That Pacific-Catalina Passenger Service Local Passenger Tariff No. 2, Cal.P.U.C. No. 2, issued by Clyde Thomas, partner, is hereby canceled.

The Secretary is directed to cause service of a certified copy of this order to be made upon Clyde Thomas, Don Charle and Alfred G. Burke.

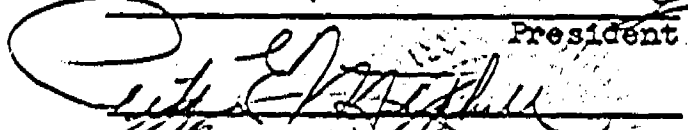
The effective date of this order shall be the twentieth day after service thereof upon Clyde Thomas, Don Charle or Alfred G. Burke, unless before such effective date there shall have been filed with this Commission a written

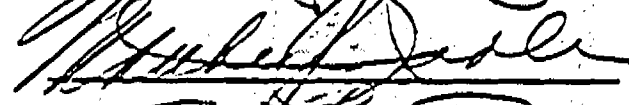
response to this order denying the facts set forth herein, in which event the effective date of this order shall be stayed until further order of the Commission.

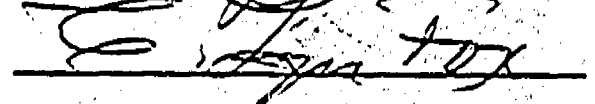
Dated at San Francisco, California, this 1st day of August, 1960.



President







Commissioners