

Decision No. 69687**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 ABC AIRLINES, a corporation, for a  
 certificate of public convenience  
 and necessity as a passenger air  
 carrier between the airports of  
 Anaheim, Buena Park, Corona, Fullerton,  
 Long Beach, Ontario, Riverside, San  
 Bernardino, Santa Ana, Orange County  
 Airport and Los Angeles International  
 Airport, pursuant to Sections 2753-2756  
 of the California Public Utilities Code.

Application 47714  
 (Filed June 30, 1965)

INTERIM ORDER

By this application, ABC Airlines requests a certificate of public convenience and necessity as a passenger air carrier between Los Angeles International Airport and various other airports in the Los Angeles area. Public hearings were held in Los Angeles on August 9, 10, 11 and 31, and on September 1 and 2, 1965. The matter was submitted on the latter date. Applicant is presently conducting operations between Los Angeles International Airport, on the one hand, and Fullerton Airport, Orange County Airport, and Ontario International Airport, on the other hand.

The Commission finds that public convenience and necessity require that applicant be granted a temporary certificate of public convenience and necessity to operate as a passenger air carrier, as set forth in the ensuing order. We conclude that a temporary certificate of public convenience and necessity should be granted to ABC Airlines to operate as a passenger air carrier between the

points of Los Angeles International Airport, Fullerton Airport, Orange County Airport, and Ontario International Airport, pending further action on the merits of the request for a permanent certificate.

ABC Airlines is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of said rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of the class of business over a particular route. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

IT IS ORDERED that:

1. A temporary certificate of public convenience and necessity is granted to ABC Airlines, authorizing it to operate as a passenger air carrier as defined in SECTION 2741 of the Public Utilities Code, between the points and over the routes more particularly set forth in Appendix A, attached hereto and hereby made a part hereof.

2. In providing service pursuant to the temporary certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Within 30 days after the effective date hereof, applicant shall file a written acceptance of the temporary certificate herein granted. By

acceptance of the temporary certificate of public convenience and necessity herein granted, applicant is placed on notice that it will be required, among other things, to file annual reports of its operations and to comply with and observe the insurance requirements of the Commission's General Order No. 120-A. Failure to file such reports in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Order No. 120-A, may result in a cancellation of the operating authority granted by this decision.

3. Within one hundred and twenty days after the effective date hereof, applicant shall amend its tariff and time tables to reflect the authority herein granted. Such filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public and shall comply with the regulations governing the construction and filing of tariffs in the Commission's General

Order No. 105-A.

This order shall become effective September 17, 1965.

Dated at Los Angeles, California, this 14<sup>th</sup> day of  
September, 1965.

Frederick B. Hallock  
President  
John E. Dattell  
George E. Hoover  
Augusta  
William W. Bennett  
Commissioners

ABC Airlines by the temporary certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers by air in either direction.

1. Between Los Angeles International Airport, Fullerton Airport, Orange County Airport, and Ontario International Airport.

Issued by California Public Utilities Commission.

Decision No. 69687, Application No. 47714.