

ORIGINAL

Decision No. 73737

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC SOUTHWEST AIRLINES for a Certificate of Public Convenience and Necessity.

Application No. 49001

ORDER GRANTING REHEARING

Petitions for rehearing of Decision No. 73487 having been filed by Alvin S. Cox, et al, City of Newport Beach, Air California and Pacific Air Lines, Inc., and the Commission having considered said petitions and each and every allegation therein, and being of the opinion that good cause for granting a rehearing has been made to appear; IT IS ORDERED that rehearing of Decision No. 73487 is hereby granted, limited to oral argument, said rehearing limited to oral argument to be had before such Commissioner or Examiner and at such time and place as may hereafter be designated.

The effective date of said decision is hereby suspended until further Commission order.

The Secretary is directed to cause appropriate notice of rehearing to be mailed at least ten (10) days before such rehearing.

Dated at San Francisco, California, this 14th day of February, 1968.

I concur & will file separate statement
Ed E. Mitchell

I dissent. I would grant rehearing and will file separate statement
Augustin

President
William S. Symons, Jr.

Commissioners
John P. Monahan

Commissioner William Symons, Jr.

Present but not participating.

D 73737, A 49001

COMMISSIONER PETER E. MITCHELL CONCURRING:

In order to bring this matter to a conclusion,

I will concur.


Peter E. Mitchell, President

San Francisco, California

February 20, 1968

Decision No. 73737

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA


Application of PACIFIC SOUTHWEST
AIRLINES for a Certificate of
Public Convenience and Necessity.

Application No. 49001

DISSENTING OPINION OF COMMISSIONER GATOV

I do not think it necessary to do more than note at this time the paradoxical action wherein a majority of the Commission decided Application No. 49001 as if two prior and contemporary decisions on the same subject did not exist. It would take great virtuosity to rationalize this before the court.

The Commission should have granted rehearing in full.



A. W. Gatov
Commissioner

San Francisco, California
February 20, 1968