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ORIGINAL

Decision No. 77447

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC SOUTHWEST AIRLINES for a certificate of public convenience and necessity, in either direction between San Diego, Long Beach, Long Beach, San Jose/San Francisco/Oakland and San Diego to Sacramento via Long Beach and San Francisco.

Application No. 50261

In the Matter of the Application of AIR CALIFORNIA for a certificate of public convenience and necessity to provide passenger air service between Long Beach, on the one hand, and San Jose and Oakland, on the other hand.

Application No. 50381

In the Matter of the Application of PACIFIC AIR TRANSPORT, INC., for a certificate of public convenience and necessity to provide passenger air service between Long Beach, San Jose, Oakland and San Francisco.

Application No. 50438

ORDER GRANTING PETITIONS TO EXTEND TIME
TO COMPLY WITH DECISION NO. 76110 UNTIL
JANUARY 1, 1971

This proceeding involves consolidated applications by Pacific Southwest Airlines (PSA), Air California (Air Cal), and Pacific Air Transport for authority to operate passenger air carrier service between Long Beach Airport (LGB) and San Francisco International Airport (SFO); between LGB and Oakland Metropolitan International Airport (OAK); and between LGB and San Jose Airport (SJC). PSA also requested authority to operate between LGB and San Diego International Airport (SAN), and between LGB and Sacramento Metropolitan Field (SMF) via SFO.

In Decision No. 76110, dated September 3, 1969, the Commission concluded that PSA should be granted a certificate of public convenience and necessity to operate on the LGB-SFO, LGB-OAK, LGB-SAN, and LGB-SMF via SFO routes, and that Air Cal should be granted a certificate of public convenience and necessity to operate on the LGB-SJC route. These certificates were temporarily denied by Decision No. 76110 until on or before July 1, 1970, because the City of Long Beach had changed its position from support for to opposition against any new air passenger service at LGB. The City of Long Beach indicated that it would not make counter and gate space in the LGB terminal available to any new air carrier.

Decision No. 76110 provided that this proceeding would remain open for the receipt of additional evidence in order that PSA and Air Cal could proceed to acquire access rights for adequate terminal facilities. The decision further provided that upon receipt of notice that such access rights were granted, or denied, the Commission would give further consideration to the matter and would issue an appropriate final order.

Since the issuance of Decision No. 76110 PSA and Air Cal applied for terminal access rights, but they were denied by the Long Beach City Council. PSA and Air Cal now request an extension of time until January 1, 1971 before the Commission issues any final order in this proceeding. The request is supported by letters from the Long Beach Chamber of Commerce and several other business establishments in Long Beach. These parties allege that a change in position by the City of Long Beach is imminent by City Council action or by referendum vote. They allege that the recent decrease in

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service from LGB by Western Airlines^{1/} and the recent decision of the Civil Aeronautics Board (CAB)^{2/} authorizing Continental Airlines to serve Portland, Seattle and Tacoma from LGB may result in reconsideration of the need for new and improved service at LGB. PSA emphasizes that there is no time limit placed upon Continental Airlines by the CAB in which to acquire terminal facilities at LGB.

Western Airlines and the Long Beach Jet Control Association oppose any extension of time on the ground that the City of Long Beach has denied access rights to PSA and Air Cal and that there is no prospect of imminent reconsideration. Western also contends that a new hearing should be required in order to update the traffic data with the most recent experience of the carriers. No response to the request was received from the City of Long Beach.

The Commission concludes that the request is reasonable and should be granted. The letters from the business organizations seem to indicate that the City of Long Beach will be asked to revise its decision not to grant access rights. The recent CAB decision also appears to increase the possibility of reconsideration.

1/ Western Airlines has eliminated its two daily flights between LGB-OAK, and it has reduced its LGB-SFO service from four to two daily flights.

2/ Order 70-5-52, Pacific Northwest-California Investigation, Docket No. 18884 (May 13, 1970), Continental Airlines was awarded authority to operate as a "satellite airport specialist carrier" between the satellite airports in the Los Angeles area and the Bay Area to the Pacific Northwest. The order specifically includes LGB and the Orange County Airport as terminals, despite the objections of these two communities, on the ground that there would not be any substantial increase in aircraft noise or in the adverse affect on the quality of the human environment.

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No prejudice will result from the extension since the cooperation of the City of Long Beach is still required before any new service can be commenced from LGB. The record is sufficiently current for the purpose of the limited extension sought herein.

IT IS ORDERED that the date of July 1, 1970 set forth in ordering paragraphs 1 and 4 of the Interim Order On Service From Long Beach in Decision No. 76110 is extended to January 1, 1971.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 30th
day of JUNE, 1970.

William J. Sproule, Jr.
President

[Signature]

Vernon L. Sturgeon
Commissioners

Commissioner A. W. CATOV

Present but not participating.

Commissioner THOMAS MORAN

Present but not participating.