

77612

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 GOLDEN WEST AIRLINES, INC., for a)
 Certificate of Public Convenience)
 and Necessity to provide passenger)
 air carrier service between the)
 points of San Francisco, San Jose,)
 and Palo Alto.)

Application No. 52104
 (Filed August 4, 1970)

Order Granting Temporary Certificate of
 Public Convenience and Necessity and
 Consolidating Applications Nos. 51212 and 52104

Applicant, Golden West Airlines, Inc. (GWA), requests modification of its certificate of public convenience and necessity to operate as a passenger air carrier, which was granted in Decision No. 77323, dated June 9, 1970, and a temporary certificate of public convenience and necessity to operate as a passenger air carrier between San Jose Airport (SJC), Palo Alto Air Terminal (PAO), and San Francisco International Airport (SFO).

GWA seeks to have Condition No. 5 removed from the certificate granted in Decision No. 77323, insofar as service between SFO-SJC is concerned. This condition prevents GWA from carrying passengers solely between SJC and SFO. It was included in GWA's certificate because service between these two airports has been regularly provided by San Francisco - Oakland Helicopter Airlines, Inc. (SFOH). In addition, GWA seeks a certificate of public convenience and necessity to provide service to PAO as an intermediate stop between SFO and SJC.

GWA now proposes to operate between SJC and SFO via PAO because on or about July 31, 1970, SFOH announced that it will cease service between all three airports on August 14, 1970. GWA will

charge a one-way fare of \$10.65 between SJC-SFO; and \$8.33 between SFO-PAO; and \$6.02 between SJC-PAO. GWA requests that the modification and certificate be granted on an emergency basis effective August 15, 1970 so that no interruption in service to the public will result.

The application states that GWA will provide a minimum of one flight in each direction on each route on each of five days a week. It also relates that GWA presently has sufficient aircraft with which to provide the service, established flight crews, ground personnel, ticket counter facilities at SFO and SJC, and the necessary insurance coverage as required by the Commission. GWA will have to acquire airport facilities at PAO.

This application is similar to that filed by Golden Pacific Airlines (GPA) in Application No. 51212 in that it proposes to serve routes on which service by SFOH will apparently be discontinued as of August 15, 1970. By Decision No. 77611, dated August 11, 1970, the Commission granted temporary authority to GPA to operate between SFO-SJC. We will also authorize the service requested by GWA on a temporary basis pending a public hearing in both applications in order to assure that there is little or no interruption of service to the public after discontinuance of operations by SFOH. Furthermore, since traffic between SJC-SFO may not justify service by both GWA and GPA, the Commission will consolidate these two applications in order to determine whether one or both air passenger carriers should receive permanent operating authority.

After consideration, the Commission finds that:

1. GWA possesses the necessary equipment, experience, insurance coverage, and financial ability to permit the temporary removal of Condition No. 5 insofar as service between SFO-SJC is concerned, set

forth on page 2 in Appendix A of the certificate heretofore granted to GWA by Decision No. 77323, and to be granted a temporary certificate of public convenience and necessity to serve Palo Alto.

2. A public hearing on the temporary removal of Condition No. 5 or on the issuance of a temporary certificate to serve Palo Alto is not required.

3. Consolidation of Applications Nos. 51212 and 52104 is required in order to determine whether one or both air passenger carriers should be certificated for the routes involved herein.

Based upon the foregoing findings of fact, the Commission concludes that Condition No. 5, insofar as service between SFO-SJC is concerned, on page 2 of Appendix A to Decision No. 77323 should be temporarily eliminated, and that a temporary certificate of public convenience and necessity to serve Palo Alto as an intermediate point between San Jose and San Francisco should be granted.

IT IS ORDERED that:

1. Appendix A of Decision No. 77323 is amended by incorporating therein First Revised Page 2, attached hereto, in revision of Original Page 2.

2. Applicant is hereby granted a temporary certificate of public convenience and necessity to operate as a passenger air carrier between San Jose Airport and San Francisco International Airport via Palo Alto Air Terminal.

a. Within thirty days after the effective date hereof, applicant shall file a written acceptance of the temporary certificate herein granted. By accepting the 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 requirements of the Commission's General Orders Nos. 120-B and 129.

3. The tariff and timetable filings made pursuant to this order may be made effective not earlier than August 15, 1970 and on one day's notice to the Commission and the public provided that San Francisco-Oakland Helicopter Airlines, Inc. has ceased to provide service between San Jose Airport, Palo Alto Air Terminal and San Francisco International Airport.

4. In all other respects Decision No. 77323 shall remain in full force and effect.

5. Applications Nos. 51212 and 52104 are consolidated for public hearing on the issues involved herein.

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

Dated at San Francisco, California, this 13th day of AUGUST, 1970.

Rogerson
Chairmen

William J. Quinn, Jr.

Yvonne L. Sturgeon
Commissioners

Commissioner J. F. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

Appendix A
(Dec. 77323)

GOLDEN WEST AIRLINES, INC.

Route 6. Los Angeles - Catalina Island
Intermediate Point - Long Beach

LAX - LGB LGB - AVX
LGB - SXC LGB - TWH
*LAX - SXC (Via LGB)
LAX - SXC (Seasonal - June 1 through Sept. 15)

Route 7. Orange County/Santa Ana - Catalina Island

SNA - SXC (Seasonal - June 1 through Sept. 15
each year)

Conditions

1. Authority granted herein is limited to passenger air carrier operations over the specific routes and between the airport pairs listed thereunder as described above.
2. Operation between an airport on one route and an airport on any other route shall not be provided except through an airport that is common to the two routes.
3. Airport pairs marked with (*) shall be served only via intermediate point or points shown.
4. On each route each airport shall be served with a minimum of one flight in each direction on each of five days a week.
- # 5. No passenger shall be carried whose transportation is solely between the following airport pairs:

ONT - RAL
FUL - SNA
OXR - SEA

Passengers shall be carried whose transportation is solely between the respective airports of SFO, SJC and Palo Alto, per temporary authority.

6. No aircraft having more than 25 revenue passenger seats shall be operated.

Issued by California Public Utilities Commission

#Revised by Decision No. 77612, Application No. 52104.