

ORIGINAL

Decision No. 77644

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of VALLEY AIRLINES, INC., a California Corporation for a Certificate of Public Convenience and Necessity.

Application No. 51211 (Filed July 1, 1969; Amended October 28, 1969 and January 26, 1970)

In the matter of the application of VALLEY AIRLINES, INC., a California Corporation, for a certificate of public convenience and necessity to establish, maintain and operate passenger and cargo airline service between San Jose, California and other points noted in this application.

Application No. 52133 (Filed August 14, 1970)

In the matter of the application of GOLDEN PACIFIC AIRLINES, INC., for a certificate of Public Convenience and Necessity to provide air carrier service between Palo Alto and San Jose and between Palo Alto and San Francisco.

Application No. 52134 (Filed August 14, 1970)

Order Granting Temporary Certificates of Public Convenience and Necessity and Consolidating Application Nos. 51211, 52133 and 52134 with Application Nos. 51212, 52104 and 50642.

Applicants, Valley Airlines, Inc. (Valley), in Application No. 52133, and Golden Pacific Airlines, (GPA), in Application No. 52134, request temporary certificates of public convenience and necessity to operate as passenger air carriers between San Francisco International Airport (SFO) and San Jose Airport (SJC), and between SFO-SJC with an intermediate stop at Palo Alto Air Terminal (PAO), respectively.

Valley presently operates daily service between SFO and SJC pursuant to Section 2754.1 of the Public Utilities Code as recognized in Interim Decision No. 77424, dated June 30, 1970, in Application No. 51211. These operations are subject to a "closed-door" condition stipulated by Valley and San Francisco-Oakland Helicopter Airlines, Inc. (SFOH); and they are being conducted pending a hearing on Valley's application for a prescriptive certificate (Decision No. 77424, dated June 30, 1970, p. 2).

Valley's application states that it is presently conducting daily flights between SFO-SJC under the closed-door stipulation with SFOH as part of its service between SFO and Fresno. It now requests authority to operate free of the closed-door agreement since SFOH has ceased its SFO-SJC service. Valley's application relates that it has the aircraft, trained personnel, gate and ticket facilities at both airports, and the necessary insurance to conduct such operations. Valley proposes to provide at least three round-trip flights daily at a one-way fare of \$10.00.

In accordance with the applications by Golden Pacific Airlines (GPA), Golden West Airlines (GWA), and Swift Air Lines (Swift) to remove restrictions on their authority to carry passengers solely between these two points, the Commission will grant Valley a temporary certificate for such operations, pending the hearing on Valley's right to a prescriptive certificate on this route. At the same time, we will consolidate Valley's pending hearing in Application No. 51211 and its present application with the applications of GPA, GWA, and Swift regarding service between SFO and SJC.

In Application No. 52134, GPA requests a temporary certificate to operate between SFO and SJC via PAO. This application states that GPA proposes to offer this service in replacement of the service discontinued by SFOH on August 14, 1970.

GPA proposes to charge a one-way fare of \$8.33 between SFO and PAO, and \$6.02 between PAO and SJC. The application relates that GPA 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. GPA will have to acquire airport facilities at PAO, but GPA states that it is in the final process of doing so.

This application is similar to that filed by Golden West Airlines (GWA) in Application No. 52104, dated August 4, 1970, to provide service on the same route. By Decision No. 77612, dated August 13, 1970, the Commission granted temporary authority to GWA to operate on this route. We will also authorize the service requested by GPA 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, and in order to place GPA on an equal basis with GWA. Furthermore, since traffic between SJC-SFO via PAO may not justify service by both GWA and GPA, the Commission will consolidate GPA's application with the other applications regarding service between SFO-SJC in order to determine whether one or both air passenger carriers should receive permanent operating authority on this particular route.

After consideration, the Commission finds that:

1. Valley Airlines, Inc. possesses the necessary equipment, experience, insurance coverage, and financial ability to be granted a temporary certificate of public convenience and necessity to operate on the SFO-SJC route.

2. Golden Pacific Airlines, Inc. possesses the necessary equipment, experience, insurance coverage, and financial ability to be granted a temporary certificate of public convenience and necessity to operate on the SFO-SJC via PAO route.

3. Public hearings on the issuance of these two temporary certificates are not required.

4. Consolidation of Application Nos. 51211, 52133, and 52134 with Application Nos. 51212, 52104 and 50642 is required in order to determine which air passenger carriers should be certificated for the routes involved herein.

Based upon the foregoing findings of fact, the Commission concludes that a temporary certificate of public convenience and necessity to operate between San Francisco and San Jose should be granted to Valley Airlines, Inc., and that a similar certificate to serve Palo Alto as an intermediate point between San Jose and San Francisco should be granted to Golden Pacific Airlines, Inc.

IT IS ORDERED that:

1. Applicant Valley Airlines, Inc. 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, as set forth in Appendix B attached hereto.

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

2. Applicant Golden Pacific Airlines, Inc. 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, as set forth in Appendix A attached hereto.

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

3. The tariff and timetable filings made by both applicants pursuant to this order may be made effective 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.

A.51211, et al. HW

4. Application Nos. 51211, 52133, 52134, 51212, 52104, and 50642 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 21<sup>st</sup> day of AUGUST, 1970.

J. P. Williams Jr.  
Chairman  
August  
William J. ...  
...  
...  
Commissioners

The authority granted herein to Golden Pacific Airlines, Inc., supersedes the previously granted certificate of public convenience and necessity granted in Decision No. 74927.

Golden Pacific Airlines, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to operate as a passenger air carrier over the routes and between the points listed below:

Route 1 SAN FRANCISCO-EUREKA Intermediate Points: Napa, Santa Rosa and Ukiah

UKI - SFO	*STS - AVA (via UKI)	NCA - SFO
UKI - STS	UKI - AVC	UKI - NCA
STS - SFO	SFO - AVC	

Route 2 SAN FRANCISCO-CONCORD

SFO - CCR

#Route 3 SALINAS-SOUTH LAKE TAHOE Intermediate Points: San Jose, San Francisco and Sacramento

*SFO - TVL (via SMF)	SNS - SJC	PAO - SJC
SFO - SMF	SMF - SJC	
TVL - SMF	SFO - SJC	
SNS - SFO	SFO - PAO	

Route 4 SAN FRANCISCO-STOCKTON

SFO - SCK

Route 5 SAN FRANCISCO-VISALIA Intermediate Points: San Jose and Fresno

VIS - SFO	FAT - SJC
SFO - FAT	SJC - VIS
VIS - FAT	SFO - SJC

Route 6 SAN FRANCISCO-MERCED Intermediate Point: Modesto

MOD - SFO	MCE - MOD
MCE - SFO	

Route 7 (Intentionally left blank)

\*Issued by California Public Utilities Commission.

# Changed by Decision No. 77644, Application No. 52134.

Route 8 SACRAMENTO-VISALIA Intermediate Points: Modesto, Merced and Fresno

VIS - FAT	MCE - MOD	*SMF - VIS (via MOD and FAT)
FAT - SMF	MOD - SMF	*VIS - MOD (via FAT)
FAT - MOD		

Conditions

1. Authority granted herein is limited to service over the specific routes described above. Direct service between a point on one route and a point on any other route shall not be provided except through junction points of two or more routes.
2. Airport pairs marked with (\*) shall be served via intermediate point or points shown.
3. On each route each airport shall be served with a minimum of one flight in each direction on each of five days a week.
4. Passengers shall be carried whose transportation is solely between the respective airports of SFO and SJC, per temporary authority (D. 77611).
- #5. Passengers shall be carried whose transportation is solely between the respective airports of: SFO and PAO, PAO and SJC, per temporary authority.
6. No aircraft having more than 25 revenue passenger seats shall be operated.
7. The following airports shall be used:

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
AVC	Eureka/Arcata	Eureka-Arcata Airport
CCR	Concord	Buchanan Field
FAT	Fresno	Fresno Air Terminal
MCE	Merced	Merced Municipal Airport
MOD	Modesto	Modesto Municipal Airport
NCA	Napa/Vallejo	Napa County Airport
SCK	Stockton	Stockton Metropolitan Airport
SFO	San Francisco	San Francisco International Airport
SJC	San Jose	San Jose Municipal Airport
SMF	Sacramento	Sacramento Metropolitan Airport
SNS	Salinas	Salinas Municipal Airport
STS	Santa Rosa	Sonoma County Airport
TVL	South Lake Tahoe	Tahoe Valley Airport
UKI	Ukiah	Ukiah Municipal Airport
VIS	Visalia	Visalia Municipal Airport
PAO	Palo Alto	Palo Alto Municipal Airport

Changed by California Public Utilities Commission.

#Added by Decision No. 77644, Application No. 52134.



TEMPORARY CERTIFICATE

Valley Airlines, Inc. by the temporary certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to operate as a passenger air carrier over the route and between the points listed below:

ROUTE 1 - SAN FRANCISCO - SAN JOSE  
SFO - SJC

Conditions:

1. Authority granted herein is limited to the providing of service on above Route 1 and does not have any affect upon authority granted in Appendix A.
2. Service shall be a minimum of one flight in each direction on each of five days a week.
3. Passengers shall be carried whose transportation is solely between the respective airports of SFO and SJC.
4. No aircraft having more than 25 revenue passenger seats shall be operated.
5. The following airports shall be used:

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
SFO	San Francisco	San Francisco International Airport
SJC	San Jose	San Jose Municipal Airport

Issued by California Public Utilities Commission.

Decision No. 77644, Application No. 52133.