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ORIGINAL

Decision No. 77645

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of SWIFT AIRE LINES, INC., a corporation, for authorization to operate as a passenger air carrier and freight air carrier, between San Luis Obispo and Sacramento, via San Francisco, and between San Luis Obispo and Los Angeles.

Application No. 50642
(Filed May 16, 1969)

ORDER TEMPORARILY GRANTING PETITION FOR
MODIFICATION OF DECISION NOS. 75372 AND 75839, AND
CONSOLIDATING APPLICATION NO. 50642 WITH
APPLICATION NOS. 51212, 52104, 52133, AND 52134

Applicant, Swift Aire Lines, Inc. (Swift), requests modification of its certificate of public convenience and necessity to operate as a passenger air carrier which was granted in Decision No. 75372, issued herein on February 25, 1969, and which was amended by Decision No. 75839, dated June 24, 1969.

Swift seeks to have Restriction No. 2 revised to remove the prohibition on service between San Francisco International Airport (SFO) and San Jose Airport (SJC). This condition prevents Swift from carrying passengers solely between SJC and SFO. It was included in Swift's certificate because service between these two airports has been regularly provided by San Francisco - Oakland Helicopter Airlines, Inc. (SFOH).

Swift now proposes to operate between SJC and SFO because SFOH has ceased such service on August 14, 1970. Swift will charge a one-way fare of \$11.11. Swift requests that this modification be granted on an emergency basis effective immediately.

The petition states that Swift presently operates over the SJC-SFO route. It also relates that Swift presently has sufficient aircraft with which to provide the service, established flight crews, ground personnel, ticket counter facilities at the two airports, and the necessary insurance coverage as required by the Commission.

The request is reasonable and will be granted in order to place Swift on an equal basis with Golden Pacific Airlines and Golden West Airlines, both of which have recently been authorized temporarily to remove similar restrictions in their certificates. We will consolidate all applications dealing with removal of restrictions on carrying passengers between these two points for the purpose of holding a public hearing as to whether all the applicant passenger air carriers should receive permanent authority on this route.

After consideration, the Commission finds that:

1. Swift possesses the necessary equipment, experience, insurance coverage, and financial ability to permit the temporary removal of Restriction No. 2, insofar as service between SJC and SFO is concerned, set forth in Appendix A of the certificate heretofore granted to Swift by Decision No. 75372, and restated in Appendix A to Decision No. 75839.
2. A public hearing on the temporary removal of Restriction No. 2 is not required.
3. Consolidation of Application Nos. 50642, 51212, 52104, 52133 and 52134 is required in order to determine which air passenger carriers should be certificated for the route involved herein.

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Based upon the foregoing findings of fact, the Commission concludes that Restriction No. 2 in Appendix A to Decision Nos. 75372 and 75839 should be temporarily eliminated.

IT IS ORDERED that:

1. Appendix A in Decision No. 75372 and First Revised Page 1 of Appendix A in Decision No. 75839 are cancelled and superseded by Appendix A, Third Revised Page 1, attached hereto.

2. The tariff and timetable filings made 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 and San Francisco International Airport.

4. In all other respects Decision Nos. 75372 and 75839 shall remain in full force and effect.

5. Application Nos. 50642, 52104, 52133 and 52134 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 21st day of AUGUST, 1970

[Signature]
Chairman
[Signature]
William J. Sproule, Jr.
[Signature]
Vernon L. Stinson
Commissioners

Swift Aire Lines, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers by air in either direction with a minimum of two scheduled round-trip flights Monday through Friday between:

Route 1 - San Luis Obispo-San Francisco-Sacramento (with "flag stop" at Paso Robles and San Jose)

Route 2 - San Luis Obispo-Los Angeles International

Route 3 - San Luis Obispo-Sacramento (with "flag stop" at Paso Robles and Fresno)

Restrictions

1. The authority granted herein is limited to service over the specific routes described above, and direct service between a point on one route (other than San Luis Obispo) and a point on any other route shall not be provided.

2. No passenger shall be carried whose transportation is solely between each of the following pairs of points:

- (1) Sacramento and San Jose
- (2) San Francisco and Sacramento
- (3) Sacramento and Fresno

Restriction between San Francisco and San Jose temporarily removed pending further order.

Issued by California Public Utilities Commission.

Modified by Decision No. 77645, Application No. 50642 (Pet.3-17-70).