

ORIGINAL

Decision No. 77731

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
 of GOLDEN PACIFIC AIRLINES, INC.
 for a Certificate of Public Con-
 venience and Necessity.

Application No. 52037
 (Filed July 14, 1970)

ORDER GRANTING TEMPORARY CERTIFICATE
 OF PUBLIC CONVENIENCE AND NECESSITY

Applicant, Golden Pacific Airlines, Inc. (GPA), a California corporation, requests a certificate of public convenience and necessity, pursuant to Sections 2742 through 2765 of the Public Utilities Code, to transport passengers by air in either direction between Sacramento and Monterey, direct or with an intermediate stop at Oakland.

Golden Pacific Airlines, Inc. presently operates as a passenger air carrier between fifteen Northern California airports under a certificate of public convenience and necessity granted in Decision No. 76668, dated January 13, 1970, in Application No. 51212, and modified in Decision No. 76941, dated March 17, 1970.

Golden Pacific Airlines, Inc. operates six Beech 93 Airliner aircraft on its route system. The application states that GPA has established flight crews, ground personnel, maintenance facilities, communications and reservations systems, insurance coverage, and ticket counter facilities at Sacramento Metropolitan Airport. and Oakland International Airport. GPA states that it is presently negotiating for ticket and gate space at Monterey Peninsula Airport.

GPA proposes to operate one flight per day on each of five days per week in each direction. The proposed fares are:

Sacramento - Monterey	\$18.52
Sacramento - Oakland	\$11.11
Oakland - Monterey	\$14.81

The application relates that at present no passenger air service is provided, by either intrastate or interstate authorized carriers, between Sacramento and Monterey, or between Sacramento and Oakland. One flight per day between Oakland and Monterey is provided by United Air Lines. GPA's application also states that Cal State Airlines has recently discontinued service between Monterey and Sacramento. Therefore, the public convenience and necessity will be served by permitting GPA to institute this service.

No protests have been filed. The Commission staff recommends that a temporary certificate be issued pending a prehearing conference to determine if this application should be consolidated with GPA's petition to modify Decision No. 76668.

After consideration the Commission finds that:

1. GPA possesses the necessary equipment, experience, insurance coverage, and financial ability to provide passenger air carrier service between Monterey and Sacramento via Oakland on a temporary basis until a final decision is issued in the application herein.
2. Public convenience and necessity require the granting of this temporary authority.
3. A public hearing on the temporary certificate is not necessary.

Based upon the foregoing findings of fact, the Commission concludes that a temporary certificate of public convenience and necessity should be granted to GPA authorizing it to operate nonstop between Monterey and Sacramento or with an intermediate stop at Oakland.

Golden Pacific Airlines, Inc. is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

IT IS ORDERED that:

1. A temporary certificate of public convenience and necessity is granted to Golden Pacific Airlines, Inc., authorizing it to operate as a passenger air carrier as defined in Section 2741 of the Public Utilities Code, between the points and over the routes more particularly set forth in Appendix A, attached hereto and hereby made a part hereof.
2. In providing service pursuant to the temporary certificate herein granted, applicant shall comply with and observe the following service regulations. Failure to do so may result in a cancellation of the operating authority granted by this decision.
 - a. Within thirty days after the effective date hereof, applicant shall file a written acceptance of the 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 insurance requirements of the Commission's General Order No. 120-A.

- b. Within one hundred and twenty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs and timetables, in triplicate, in the Commission's office.
- c. The tariff and timetable filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the service herein authorized.
- d. The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 105-A.

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

Dated at Los Angeles, California, this 15th
day of SEPTEMBER, 1970.

J. R. [Signature]
Chairman

William [Signature]

Vernon L. [Signature]
Commissioners

Commissioner A. W. Gatov, 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. 76668)

GOLDEN PACIFIC AIRLINES, INC.

Third Revised Page 2
Cancels
Second Revised Page 2

Route 6 SAN FRANCISCO-MERCED Intermediate Point: Modesto

MOD - SFO
MCE - SFO

MCE - MOD

Route 7 (Intentionally left blank)

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

VIS - FAT
FAT - SMF
FAT - MOD

MCE - MOD
MOD - SMF

*SMF - VIA (Via MOD and FAT)
*VIS - MOD (Via FAT)

#Route 9 SACRAMENTO-MONTEREY Intermediate Point: Oakland

SMF - OAK
OAK - MRY
SMF - OAK

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. Route 9 to be operated under temporary authority.
7. No aircraft having more than 25 revenue passenger seats shall be operated.

Issued by California Public Utilities Commission.

#Added by Decision No. 77731, Application No. 52037.

8. 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
#OAK	Oakland	Oakland International Airport
#MRY	Monterey	Monterey Peninsula Airport

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