

Decision No. 77938

ORIGINAL

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
Jose/Oakland and Hollywood-Burbank
Airports.

Application No. 50083

Application of Pacific Southwest
Airlines for a certificate of
public convenience and necessity,
in either direction, between San
Diego and Ontario, California.

Application No. 50730

ORDER DISMISSING PETITION EX PARTE FOR
MODIFICATION ORDER AND/OR ORDER FOR
REMOVAL OF RESTRICTIONS

On August 20, 1969, Pacific Southwest Airlines (PSA), a corporation, filed this petition to have removed any restrictions preventing it from providing one-stop through service between San Diego and San Jose via Hollywood-Burbank that the Commission might determine to be present in the certificates of public convenience and necessity granted in the above application proceedings.

Shortly thereafter, such restrictions were found to be present by the Commission in Air California v. Pacific Southwest Airlines, Decision No. 76104, dated August 26, 1969, in Case No. 8937. In that decision the Commission held that PSA could not tack its authority to operate between San Diego and Hollywood-Burbank and between Hollywood-Burbank and San Jose in order to provide one-stop through service between San Diego and San Jose.

At the same time, PSA filed Application No. 51329 for a separate certificate of public convenience and necessity to provide

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such one-stop through service. A prehearing conference in all three matters was held on November 25, 1969. Hearings were scheduled for February, 1970, but were subsequently cancelled as a result of the proposed acquisition agreement between PSA and Air California. In the meantime, the Commission granted PSA a temporary certificate of public convenience and necessity in Application No. 51329 to provide one-stop service between San Diego and San Jose via Hollywood-Burbank (Decision No. 76816, dated February 17, 1970).

PSA has now requested that its temporary authority granted by Decision No. 76816 be made permanent. Air California has notified the Commission that it has no objection to this request. Therefore, since PSA will receive permanent operating authority on the route involved, any action on the petition involved herein is unnecessary. As a consequence, the petition of PSA filed in Applications Nos. 50730 and 50023 will be dismissed without prejudice.

IT IS ORDERED that the Petition Ex Parte For Modification Order And/Or Order For Removal of Restrictions is dismissed without prejudice.

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

Dated at San Francisco, California, this 10th
day of NOVEMBER, 1970.

Chairman

David
William J. Vukasin, Jr.
Robert M. ...
Thomas L. Sturgeon
Commissioners

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