

Decision No. 78538

ORIGINAL

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 con- )  
venience and necessity to provide )  
passenger air carrier service to )  
and from Mojave, Burbank and )  
Palmdale/Lancaster Airports. )

Application No. 52368  
(Filed December 23, 1970)

O P I N I O N

Applicant seeks permanent authority to serve Mojave, Hollywood, Burbank and Palmdale/Lancaster via Los Angeles pursuant to Sections 2752 and 2754 of the Public Utilities Code, or in the alternative, a temporary certificate by ex parte order.

Applicant presently operates between various points in California under a certificate issued in Application No. 51216 by Decision No. 77323.

It is alleged that there is presently no commuter service to and from Mojave and Burbank. It is further alleged that applicant has been awarded a mail service contract between Los Angeles International Airport and Mojave Airport. Applicant asserts that the revenues from the mail contract will subsidize the routes.

We assume that the authority sought is not intended to be limited to the mail flights alone, and that applicant intends to add passenger only flights on schedules designed to serve the needs of the traveling public. Applicant has, no doubt inadvertently, failed to include any information as to expected costs attributable to the latter class of operation. Applicant is placed on notice that issuance of a permanent certificate will require a showing of

costs associated with both types of flights, together with a showing of passenger counts and revenue allocated between mail carrying and passenger only flights.

Findings

1. Applicant has sufficient business experience as a passenger air carrier to operate the proposed service.
2. Applicant is sufficiently financially stable to operate the proposed service.
3. Applicant is now in compliance with General Order No.120-B.
4. Applicant operates a type of aircraft appropriate for the proposed certificate.
5. The route proposed may be adequately served by a minimum of five flights per week.
6. The applicant can economically give minimum service to the communities involved.
7. There is a public need for the service involved.
8. No public hearing is necessary.

Conclusions

1. Applicant should be issued a certificate authorizing it to operate between Holly-Burbank, Los Angeles, Palmdale Lancaster and Mojave for one hundred eighty days.

2. A decision on a permanent certificate should be postponed until experience has demonstrated the degree of public need and the revenues and expenses associated with the service rendered.

Applicant 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.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Golden West Airlines, Inc., authorizing it to operate as set forth in the revision to Appendix A attached hereto (Third Revised Page 2 and First Revised Page 3) as a passenger air carrier as defined in Section 2741 of the Public Utilities Code, said certificate to expire one hundred eighty days from the effective date of this order, or at such earlier time as the Commission may, by further order, provide.

2. In providing service pursuant to the 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 requirements of the Commission's General Orders Nos. 120-B and 129.
- b. Within one hundred 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 twenty days after the date hereof.

Dated at San Francisco, California, this 13<sup>th</sup> day of APRIL, 1971.

[Signature]  
 Chairman

William J. Adams, Jr.

[Signature]  
 Commissioners

I dissent.  
[Signature]

I dissent  
[Signature]

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

LAX-LGB  
 LGB-SXC  
 \*LAX-SXC (via LGB)  
 LAX-SXC (seasonal, June 1 through September 15)  
 LGB-AVX  
 LGB-TWH

Route 7, Orange County/Santa Ana-Catalina Island

SNA-SXC (seasonal, June 1 through September 15 each year.)

#Route 8, Los Angeles-Mojave  
Intermediate Points-Burbank, Palmdale, Lancaster

LAX-BUR	LAX-MHV	BUR-MHV
LAX-PMD	BUR-PMD	PMD-MHV
LAX-LAN	BUR-LAN	LAN-MHV

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

Issued by California Public Utilities Commission.

#Revised by Decision No. 78538, Application No. 52368.

Conditions--Contd.

6. No aircraft having more than 25 revenue passenger seats shall be operated.
- #7. Authority for Route 8 is temporary and allows Burbank as a flag stop and Fox Field to be used until facilities at Palmdale Airport are available.
8. The following airports shall be used:

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
306	Santa Rosa	Coddington Field
SFO	San Francisco	San Francisco International Airport
SJC	San Jose	San Jose Municipal Airport
MRY	Monterey	Monterey Peninsula Airport
SBA	Santa Barbara	Santa Barbara Municipal Airport
OXR	Oxnard	Oxnard/Ventura Airport
LAX	Los Angeles	Los Angeles International Airport
EMT	El Monte	El Monte/Pasadena Airport
ONT	Ontario	Ontario International
PSP	Palm Springs	Palm Springs Municipal
RAL	Riverside	Riverside Municipal Airport
LGB	Long Beach	Long Beach International Airport
FUL	Fullerton	Fullerton Municipal Airport
SNA	Santa Ana	Orange County Airport
SXC	Catalina Island	Airport-In-The-Sky, Hilltop
TWH	Catalina Island	Two Harbors (Seaplane Operations)
AVX	Catalina Island	Avalon Bay (Seaplane Operations)
RTO	Colton/San Bernardino	Meadows Field
##BUR	Burbank	Hollywood-Burbank Airport
##MEV	Mojave	Mojave Airport
##PMD	Palmdale	Palmdale Airport
##LAN	Lancaster	Fox Field

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#Revised }  
##Added by } Decision No. 78538, Application No. 52368.