

Decision No. 78651

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

AIR CALIFORNIA,
a California Corporation,

Complainant,

vs.

PACIFIC SOUTHWEST AIRLINES,
a California Corporation,

Defendant.

Case No. 9160

ORDER GRANTING EXTENSION OF TIME
TO COMPLY WITH CEASE AND DESIST
ORDER UNTIL MAY 17, 1971

By Decision No. 78619, dated April 27, 1971 the Commission ordered that Pacific Southwest Airlines (PSA) cease and desist from conducting non-stop passenger air carriers' service between San Diego and San Jose. The final date for compliance with Decision No. 78619 is Friday, May 7, 1971.

On May 5, 1971, PSA filed a petition to extend the final date for compliance with our cease and desist order until June 25, 1971 or the date of the Commission's decision in Application No. 51059. This latter application requests non-stop authority between San Diego and San Jose.

In its petition, PSA states that members of the public have reserved space in advance for use after May 7, and that immediate discontinuance will require a printed time schedule change in advance of June 25, the date when a new printed schedule will take affect. PSA also states that cessation of service will require a systemwide change in aircraft route assignments.

Although the Commission recognizes that some disruption to public expectations may occur by a prompt cessation of this unauthorized service, we conclude that a seven week extension of time is too great. We note that the order affects only 1 daily southbound flight and 1 daily northbound flight. If the public demand for daily non-stop service is sufficient to justify such service, presumably the authorized carrier, Air California, will provide it. And in Application No. 51059 PSA will be able to present its showing for direct competition on this route.

In order to permit PSA some additional time to prepare for cessation of the service, the Commission will extend the final date of its order in Decision No. 78619 until 12:00 a.m., May 17, 1971. This will permit commuters to have PSA's service through the weekend period.

IT IS ORDERED that:

1. The final date for cessation of non-stop passenger air carrier service between San Diego and San Jose ordered in Decision No. 78619 is extended to 12:00 a.m., May 17, 1971.
2. In all respects the petition of Pacific Southwest Airlines is denied.

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

Dated at San Francisco California, this 10th day of May, 1971.

[Signature]

 Chairman

[Signature]

 Commissioner

J. P. ...

I concur only because of the brief + short period of the extension.

[Signature]

 Commissioners

[Signature]
 I dissent

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.