

jmd/JR

Decision No. 79742

ORIGINAL

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. 52516
(Filed March 23, 1971)

Glenn A. Howard, Attorney at Law, for Golden Pacific
Airlines, applicant.
Cohen, Oster & Millard by Robert M. Oster, Attorney at Law,
for Golden West Airlines, Inc., protestant.
A. L. Gielegem and Scott K. Carter, Attorney at Law,
for the Commission staff.

O P I N I O N

Golden Pacific Airlines, Inc.^{1/} (hereinafter GPA) sought a certificate and interim authority between Travis Air Force Base, on the one hand, and Sacramento, San Francisco, San Jose and Monterey, on the other hand.

Permission to use the military air base was authorized by the Department of the Air Force through the County of Solano.

Golden West Airlines, Inc. (hereinafter Golden West) protested asserting that the sought authority might include service between San Jose and Monterey, a route served by protestant. It also asserted that a question of jurisdiction might be involved in that the County of Solano had assertedly been able to determine which carrier should render California intrastate service in derogation of this Commission's responsibilities and authority under Chapter 4 of Division I of the Public Utilities Code.

The Commission by Decision No. 78708 herein issued a temporary certificate to applicant.

^{1/} Applicant is a commuter airline serving 15 Northern California airports, cf. Decisions Nos. 76668 and 78412 in Application No. 51212.

Decision No. 79419 herein authorized an extension of the temporary certificate for operations on the Travis-San Francisco and Travis-Oakland routes. Since no service had been instituted on the remaining routes, that portion of the temporary authority was permitted to lapse. Golden West's protest was subsequently withdrawn, conditioned on GPA's not being authorized to carry passengers between San Jose and Monterey.

Hearing on the question of whether the certificate should be made permanent was held on January 14, 1972 before Examiner Gilman in San Francisco.

At the hearing the evidence received indicated that the Oakland and San Francisco routes were economically viable, not a drain on applicant's other services, and sufficiently well-patronized to demonstrate that public convenience and necessity require the service to be made permanent.

The Commission finds that:

1. Public convenience and necessity require that the Travis-San Francisco and Travis-Oakland services should be continued indefinitely.
2. Even with traffic significantly less than presently enjoyed, the proposed service will contribute to the carrier's overall financial stability.
3. The proposed rates, route structure and type of aircraft used are all suitable to the public interest and provide economical service to the passengers requiring such service.

The Commission concludes that:

1. The certificate should be issued in the form and manner, and subject to the terms and conditions, set forth in Appendix A hereto.
2. Nothing in this decision should be held to prejudice applicant's requests to later seek authority to operate from Travis to Monterey and San Jose.

ORDER

IT IS ORDERED that Golden Pacific Airlines, Inc., is granted a certificate of public convenience and necessity as set forth in Seventh Revised Page 2 to Appendix A to Decision No. 76668 which is attached hereto.

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

Dated at San Francisco, California, this 23rd day of FEBRUARY, 1972.

William L. Sturgeon Chairman
John J. ...
Vernon L. Sturgeon
... Commissioners

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

jmd

Appendix A
(Dec. 76668)

GOLDEN PACIFIC
AIRLINES, INC.

Seventh Revised Page 2
Cancels
Sixth Revised Page 2

Route 6 SAN FRANCISCO-MERCED Intermediate Point: Modesto

MOD - SFO
MCE - SFO

MCE - MOD

#Route 7 SAN FRANCISCO-TRAVIS AIR FORCE BASE

SFO-SUU

Route 8 SACRAMENTO-FRESNO Intermediate Points: Modesto and Merced

FAT - MOD
FAT - SMF

MCE - MOD
MOD - SMF

Route 9 SACRAMENTO-MONTEREY Intermediate Points: Oakland, Travis
Air Force Base

SMF - OAK
OAK - MRY

SMF - MRY
#SUU - 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.

Issued by California Public Utilities Commission.

#Revised by Decision No. 79742, Application No. 52516.