

ORIGINAL

Decision No. 79769

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Valley Airlines, Inc., a California corporation for a certificate of public convenience and necessity to establish, maintain and operate passenger and cargo airline service between San Jose, California and other points noted in this application.

Application No. 52133
(Filed August 14, 1970)

ORDER OF DISMISSAL

This application involves a request by Valley Airlines, Inc. for a certificate of public convenience and necessity to operate as a passenger air carrier between San Jose and San Francisco.

By Decision No. 77644, dated August 21, 1970, Valley's application was consolidated with similar applications filed by Golden Pacific Airlines, Inc., Golden West Airlines, Inc., and Swift-Aire Lines, Inc. By the same decision Valley and the above named passenger air carriers were granted temporary certificates of public convenience and necessity to conduct the requested service.

A prehearing conference was held on September 16, 1970, at which it was decided that the Commission should first resolve the question whether Valley held prescriptive certificate authority for this route as alleged in Application No. 51211, filed July 1, 1969. By Decision No. 78571, dated April 20, 1971, in Application No. 51211, the Commission determined that Valley did not have such prescriptive authority.

A further prehearing conference was held on December 1, 1971. Valley failed to appear. By letter dated December 6, 1971, Valley requests that its application be withdrawn. The request will be granted.

IT IS ORDERED that:

1. The temporary certificate of convenience and necessity issued to Valley Airlines, Inc. in Decision No. 77644, dated August 21, 1970 is revoked.

2. Application No. 52133 is dismissed without prejudice.

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

Dated at San Francisco, California, this 25th
day of FEBRUARY, 1972.

[Signature]
Chairman
William J. Lyons Jr.
Vernon L. Sturgeon
[Signature]
Commissioners

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