

Decision No. 79849**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of D. W. MERCER, doing
business as MERCER ENTERPRISES,
for a certificate of public con-
venience and necessity as an air
carrier.

Application No. 48157

Application of MERCER ENTERPRISES,
a California Corporation, and of
D. W. MERCER dba MERCER ENTERPRISES,
for transfer to the first applicant
from the second applicant of
Certificate of Public Convenience
and Necessity, issued under Order
No. 71490 on November 1, 1966.

Application No. 51106

OPINION AND ORDER

By Decision No. 79246 Mercer Enterprises' certificate of public convenience and necessity authorizing operations as a passenger air carrier as defined in Section 2741 of the Public Utilities Code between Burbank, Long Beach and Brown Field (San Diego County) was suspended for a period of 90 days. Said temporary suspension was extended for an additional 90 days by Decision No. 79440.

By letter dated February 14, 1972, Mercer Enterprises requests said suspension be extended for an additional 90 or 120 days.

Section 2766 of the Public Utilities Code provides:

"2766. Upon application for suspension or deletion of any certificated point, the commission may authorize a special temporary suspension. Such suspension, when authorized, shall be effective 30 days after the filing of said application and shall only remain effective, however, pending hearing and decision on the application if an interested person or party so requests. The special temporary suspension may be ordered for a maximum 90-day period, and may be renewed by the

A. 48157, A. 51106 af *

commission for an additional 90-day period, if such additional time is required to complete the proceedings before the commission, except that a stay of the commission's decision, on its own motion or by the Supreme Court, will serve to continue the special temporary suspension until 10 days after termination or a review proceeding."

Public hearing should be held to determine the reasons for the continuance of the suspension.

IT IS ORDERED that:

1. The suspension ordered by Decisions Nos. 79246 and 79440 are continued in effect until further order of the Commission.

2. Public hearing in this matter shall be held before such Commissioner or Examiner and at such time and place as may be hereafter designated.

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

Dated at San Francisco, California, this 28th day of MARCH, 1972.

Chairman
William Lyons
Thomas
Vernon L. Sturgeon
Commissioners

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