

ORIGINAL

Decision No. 79999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 GOLDEN PACIFIC AIRLINES, INC., a)
 California corporation, for a cer-)
 tificate of public convenience and)
 necessity.)

Application No. 51212

James E. Lawrence, for Golden Pacific
 Airlines, Inc., applicant.
Cohen, Oster & Millard by Mark S. Millard,
 Attorney at Law, for Golden West Air-
 lines, Inc.; E. D. Hodge, for County
 of Santa Clara; and Richard G. Hildreth,
 Attorney at Law, for San Francisco and
 Oakland Helicopter, Inc., interested
 parties.
Scott K. Carter, Attorney at Law, for the
 Commission staff.

ORDER PERMANENTLY GRANTING PETITION FOR MODIFICATION
OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

By this petition, filed August 4, 1970, Golden Pacific Airlines, Inc. (GPA), requests modification of its certificate of public convenience and necessity to operate as a passenger air carrier which was granted in Decision No. 76668, issued herein on January 13, 1970, and which was amended by Decision No. 76941, dated March 17, 1970.

GPA seeks to have Condition No. 4 deleted to allow it to have permanent authority and to provide service solely between San Francisco International Airport (SFO) and San Jose Airport (SJC). Temporary authority was provided in GPA's certificate because service between these two airports had been regularly provided by San Francisco and Oakland Helicopter, Inc. (SFOH). On August 14, 1970 SFOH ceased such service.

By Decision No. 77611, dated August 11, 1970, GPA's petition was temporarily granted. By Decision No. 76612, dated August 13, 1970, and Decisions Nos. 77644 and 77645, dated August 21, 1970, in Applications Nos. 51211, 52133, 52134, 51212, 52104 and 50642, GPA's petition was consolidated with similar applications filed by Valley Airlines, Inc. (Valley), Golden West Airlines, Inc. (GWA), and Swift-Aire Lines, Inc. (Swift).

A prehearing conference was held in this consolidated matter 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, after a hearing, that Valley did not have such prescriptive authority.¹

A further prehearing conference was held on December 1, 1971. At this conference, Swift, GWA and GPA, each stated that it had no objection to the petition or application of the others to operate on the SFO-SJC route; and that consequently a public hearing was not necessary.

On February 15, 1972, the Commission staff filed an advice of participation recommending that GPA's temporary authority be made permanent. There are no protests.

After consideration the Commission finds that GPA's temporary modification of its certificate should be made permanent for the limited purpose of permitting GPA to carry SFO-SJC passengers on its flights which operate between these two points on the way to

¹ Valley's separate application for this authority was dismissed at its request, Decision No. 79769, dated February 25, 1972, in Application No. 52133.

or from destinations beyond them. Therefore, we will amend Condition No. 4 in GPA's certificate to prohibit the operation of turn-around service between SFO-SJC in order to assure the avoidance of unnecessary wing-tip to wing-tip competition.

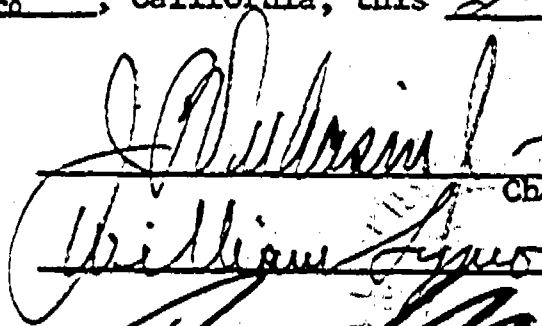
IT IS ORDERED that:

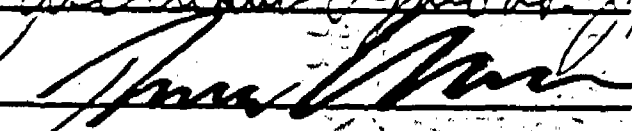
1. The modification of Golden Pacific Airlines, Inc.'s certificate of public convenience and necessity granted by Decision No. 77611, dated August 11, 1970, in this proceeding is hereby made permanent.


2. First Revised Page 2, attached to Decision No. 77611, of Appendix A, Decision No. 76668, dated January 13, 1970, is amended by substituting Second Revised Page 2, attached hereto.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 2nd day of MAY, 1972.



Chairman


Commissioners


Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

jmd *

Appendix A
(Dec. 76668)

GOLDEN PACIFIC
AIRLINES, INC.

Second Revised Page 2
Cancels
First Revised Page 2

Route 8 SACRAMENTO-VISALIA Intermediate Points: Modesto, Merced
and Fresno

VIS - FAT
FAT - SMF
FAT - MOD

MCE - MOD
MOD - SMF

*SMF - VIS (via MOD and FAT)
*VIS - MOD (via FAT)

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. No turn-around service will be provided between SFO and SJC.
5. No aircraft having more than 25 revenue passenger seats shall be operated.
6. The following airports shall be used:

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
AVC	Eureka/Arcata	Eureka-Arcata Airport
CCR	Concord	Buchanan Field
FAT	Fresno	Fresno Air Terminal
MCE	Merced	Merced Municipal Airport
MOD	Modesto	Modesto Municipal Airport
NCA	Napa/Vallejo	Napa County Airport
SCK	Stockton	Stockton Metropolitan Airport
SFO	San Francisco	San Francisco International Airport
SJC	San Jose	San Jose Municipal Airport
SMF	Sacramento	Sacramento Metropolitan Airport
SNS	Salinas	Salinas Municipal Airport
STS	Santa Rosa	Sonoma County Airport
TVL	South Lake Tahoe	Tahoe Valley Airport
UKI	Ukiah	Ukiah Municipal Airport
VIS	Visalia	Visalia Municipal Airport

Issued by California Public Utilities Commission.

*Revised by Decision No. 79999, Application No. 51212.