

ORIGINAL

Decision No. 80003

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 Convenience
and Necessity to provide air carrier
service between Palo Alto and San
Jose and between Palo Alto and San
Francisco.

Application No. 52134
(Filed August 14, 1970)

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

ORDER REVOKING TEMPORARY CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY AND DISMISSING APPLICATION

This application involves a request by Golden Pacific Airlines, Inc. (GPA) for a certificate of public convenience and necessity to operate as a passenger air carrier between San Francisco and Palo Alto, and between Palo Alto and San Jose.

By Decision No. 77644, dated August 21, 1970, GPA's application was consolidated with similar applications filed by Golden West Airlines, Inc., Valley Airlines, Inc. (Valley), and Swift-Aire Lines, Inc. By the same decision GPA was granted a temporary certificate of public convenience and necessity to operate between San Francisco and San Jose via Palo Alto.

A prehearing conference in this consolidated matter 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 the San Francisco-San Jose 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, GPA stated that it did not wish to receive a permanent certificate for this route. It related that GPA operated on the route for about thirty days after receiving temporary authority, but that it then ceased operations because it does not have the required aircraft to serve the Palo Alto Airport. It further stated that it does not intend to serve Palo Alto in the foreseeable future.

On February 15, 1972, the Commission staff recommended that GPA's temporary authority to serve this point be cancelled. No protests have been received.

After consideration the Commission finds that GPA's temporary authority granted in Decision No. 77644 should be revoked.

IT IS ORDERED that:

1. The temporary certificate of public convenience and necessity granted to Golden Pacific Airlines, Inc. in ordering paragraph 2 of Decision No. 77644, dated August 21, 1970, in Applications Nos. 51211, 52133 and 52134, is hereby revoked.

2. The certificate of Golden Pacific Airlines, Inc., as revised by this order, will be set forth by further order of the Commission.

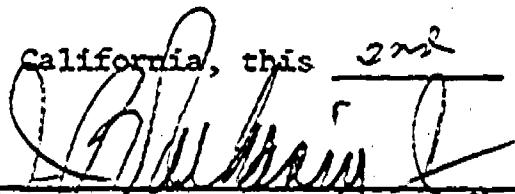
^{1/} Valley's separate application for this authority was dismissed at its request, Decision No. 79769, dated February 25, 1972, in Application No. 52133.

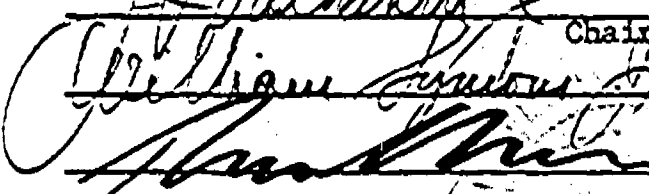
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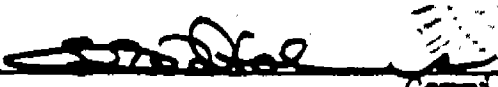
3. Application No. 52134 is dismissed without prejudice.

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.