

ORIGINAL

Decision No. ~~80152~~

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

D. W. Mercer, for Mercer Enterprises,
applicant.
Scott K. Carter, Attorney at Law,
John B. Ohanian and Albert F. Braggins,
for the Commission staff.

O P I N I O N

By Decision No. 79849 dated March 28, 1972, the suspension of Mercer Enterprises' (Mercer) certificate of public convenience and necessity authorizing operations as a passenger air carrier between Burbank, Long Beach and Brown Field (San Diego County) previously ordered by Decisions Nos. 79246 and 79440 was continued in effect until further order of the Commission.

Public hearing to determine the reasons for the continuance of the suspension was held before Examiner O'Leary at Los Angeles on April 27, 1972 at which time the matter was submitted.

The evidence adduced at the hearing discloses that patronage of Mercer's service drastically declined subsequent to

a fire which razed the race track facility at Agua Caliente in Mexico. Because of the drastic decline in business Mercer was forced to curtail its service because continuance of said service was not economically sound. The president of Mercer has recently contacted the management of Agua Caliente race track and has been informed that the race track will be rebuilt. The president of Mercer expects there will be need of his service in the future when the race track is rebuilt.

Based upon the evidence adduced the Commission finds that Mercer has temporarily ceased operating its service and concludes that its certificate should be suspended until further order of the Commission.

O R D E R

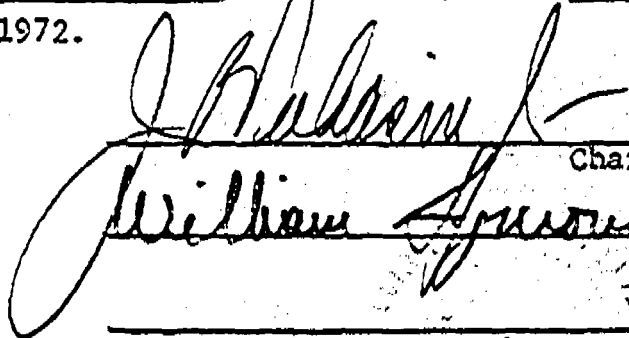
IT IS ORDERED that:

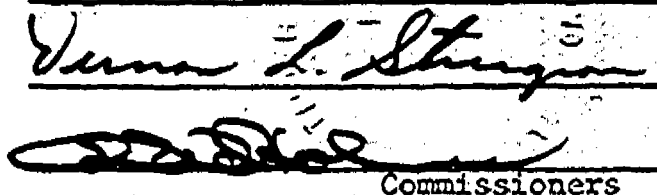
1. The certificate of public convenience and necessity granted to D. W. Mercer, doing business as Mercer Enterprises, by Decision No. 71490 and transferred to Mercer Enterprises by Decision No. 75894 is suspended until further order of the Commission.

2. All tariffs and timetables presently on file with this Commission in the name of Mercer Enterprises are suspended until further order of the Commission.

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

Dated at San Francisco, California, this 13th day
of JUNE, 1972.


Chairman


Commissioners

-2-Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.