

Decision No. 80485

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion to determine its
jurisdiction over security issues
over passenger air carriers.

Case No. 9267
(Filed August 31, 1971)

Graham & James, by Boris H. Lakusta, Attorney at Law, for Air California; Mark T. Gates, Jr., Attorney at Law, and Paul C. Barkley, for Pacific Southwest Airlines; Cohen, Oster & Millard, by Robert M. Oster, Attorney at Law, for Golden West Airlines, Inc.; Loughran, Berol & Hegarty, by Marshall G. Berol, Attorney at Law, for Borrego Springs Airline; Caditz, Howard & Garcia, by Glenn A. Howard, Attorney at Law, for Golden Pacific Airlines, Inc.; respondents.
Scott K. Carter, Attorney at Law, for the Commission staff.

ORDER DISCONTINUING INVESTIGATION

The Commission ordered this investigation on August 31, 1971 for the purpose of determining whether the respondent passenger air carriers are public utilities under Article XII of the Constitution of the State of California and under the Public Utilities Act.

A prehearing conference was held on January 12, 1972 in San Francisco in which seven of the twelve named respondents made appearances. On May 12, 1972 the Commission granted the respondents an exemption from Article 5, relating to stock and security issues, and from Article 6, relating to the transfer and incumbrance of utility property, of Chapter 4, Part 1, Division 1 of the Public Utilities Code until the issuance of a final decision in this proceeding. (Order Granting Exemption During Hearing, Decision No. 80097, dated May 12, 1972)

Upon reconsideration of our order instituting this investigation, the Commission has concluded that further proceedings in this matter are not in the public interest. Therefore, we conclude that a final decision discontinuing this proceeding should be issued, and that Decision No. 80097 should no longer be in effect.

IT IS ORDERED that the investigation in Case No. 9267 is discontinued without prejudice to the institution of a similar proceeding at a later time, and that Decision No. 80097, dated May 12, 1972 no longer has any effect.

Dated at San Francisco, California, this 12th
day of SEPTEMBER, 1972.

James L. Stanger
President

William Synovis Jr.

Alvin M. ...

Commissioners

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