

Decision No. 80853

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Southwest Airlines)
for a certificate of public convenience)
and necessity in either direction)
between San Diego and Sacramento, non-)
stop; San Diego and Sacramento via San)
Francisco/San Jose or Oakland; San Diego/)
Santa Ana/San Francisco/San Jose/)
Oakland; San Diego/Santa Ana/ San)
Francisco or San Jose or Oakland and)
Sacramento; Santa Ana/San Francisco/)
San Jose/Oakland; Santa Ana and Oakland)
via San Jose; Santa Ana and Sacramento)
via San Francisco/San Jose or Oakland;)
Santa Ana and Sacramento, nonstop.)

Application No. 51080
(Phase II)
(Filed May 16, 1969)

ORDER DISMISSING APPLICATION

By this application, filed May 16, 1969, Pacific Southwest Airlines, Inc. (PSA) requested authority to operate as a passenger air carrier between San Diego and Sacramento via San Francisco, San Jose and Oakland, including nonstop authority between San Diego and Sacramento, and also authority to serve Santa Ana (Orange County Airport) in direct competition with Air California.

By Decision No. 78276, dated February 2, 1971, PSA's application was divided into two phases because it included such a large number of route requests.

Phase I was designated to include PSA's request for authority to operate between San Diego and San Jose/Oakland via Santa Ana, including the carriage of local passengers between San Diego and Santa Ana. It was consolidated with Air California's Application No. 52165, which also involved a request for San Diego - Santa Ana authority together with authority to operate its San Diego - San Jose/Oakland service via Santa Ana.

Phase II of Application No. 51080 was designated to include the following route requests:

- a. Nonstop service between San Diego and Sacramento.
- b. Service between San Diego and Sacramento via San Francisco/San Jose or Oakland.
- c. Nonstop service between Santa Ana and Sacramento; service between Santa Ana and Sacramento via San Francisco; and service between Santa Ana and Sacramento via San Jose/Oakland.

Public hearing was postponed in Phase II in order to determine Phase I of PSA's application, as well as the consolidated applications of PSA and Air California to serve Sacramento from various points in Southern California (Application No. 51007 by Air California and Application No. 51058 by PSA).

By Decision No. 79085 dated August 24, 1971 in Applications Nos. 51007 and 51058, the Commission granted authority to PSA to conduct nonstop San Diego - Sacramento service, and also service between San Diego - Sacramento via Oakland. We granted Air California authority to serve San Diego - Sacramento via San Jose. In denying PSA San Jose - Sacramento authority, we further concluded that this market was not sufficient to support two carriers. (Decision No. 79085, supra, pp. 22-24.)

Since PSA presently serves San Diego - Sacramento nonstop and via San Francisco, its request for the authority set out in Phase II(c) and (b) above has been resolved.

With respect to its request to operate various routes through Santa Ana, the Commission determined in Decision No. 80318 dated July 25, 1972 in Applications Nos. 52165 and 51080 (Phase I) that PSA should not be authorized to serve Santa Ana. One of the grounds for this denial was that PSA could not acquire terminal space at Orange County Airport for the indefinite future. (Decision No. 80318, supra, p. 12.) Since there have not been any changes in these circumstances, consideration of PSA's route requests set forth in Phase II(c) above is not necessary.

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In view of the above two decisions, a public hearing in Application No. 51080 (Phase II) would merely be repetitious of route requests either granted or denied by these recent decisions. Therefore, a hearing is not in the public interest, and Phase II of Application No. 51080 will be dismissed without prejudice.

IT IS ORDERED that Application No. 51080 (Phase II) is dismissed without prejudice.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 19th
day of DECEMBER, 1972.

Vernon L. Steyer
President
William J. Gurnea
John J. Gurnea
Alan Han
John J. Gurnea
Commissioners