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Decision No. 82153

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, Long Beach, Long Beach, San Jose/San Francisco/Oakland and San Diego to Sacramento via Long Beach and San Francisco.

Application No. 50261
(Filed May 22, 1968)

In the Matter of the Application of AIR CALIFORNIA for a certificate of public convenience and necessity to provide passenger air service between Long Beach, on the one hand, and San Jose and Oakland, on the other hand.

Application No. 50381
(Filed July 8, 1968)

ORDER DENYING REHEARING

On August 24, 1973 AIR CALIFORNIA (Air Cal) filed a petition for rehearing of Decision No. 81749 in which the Commission denied its request to reopen the proceedings in Application Nos. 50261 and 50381. On that same date Air Cal filed a second petition to set aside the submission and reopen the record in Application Nos. 50261 and 50381, which the Commission denied in Decision No. 81959, issued October 2, 1973. Air Cal alleged the same materially changed circumstances as grounds for granting both petitions. As the Commission stated in Decision No. 81959 with respect to the second petition to set aside the submission and reopen the proceedings:

A. 50261 et al gg

"The fact that Western Airlines has filed an application for temporary suspension before the CAB does not require reopening this proceeding. Official notice can be taken of this development and its effect can be evaluated by the Commission in its decision. Likewise, as we stated in Decision No. 81749, supra, official notice can be taken of the carriers' financial and traffic reports filed with the Commission since the hearings were concluded in this matter." (Decision No. 81959, p.3.)

These same considerations apply with equal force to Air Cal's instant petition for rehearing. Accordingly, the Commission concludes that Air Cal's petition for rehearing should be denied.

Accordingly, the Commission is of the opinion that good cause for rehearing of Decision No. 81749 has not been shown.

IT IS ORDERED That rehearing of Decision No. 81749 is hereby denied.

Dated at San Francisco, California, this 20th
day of NOVEMBER, 1973.

William J. Lyons President

[Signature]
[Signature]

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

I abstain.
J. H. [Signature], Commissioner