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ORIGINAL

Decision No. 82410

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 PETITION FOR
EMERGENCY CERTIFICATE EXEMPTION

By this petition Air California (Air Cal) seeks emergency certificate authority as provided for by Section 2767 of the Public Utilities Code to commence passenger air carrier service between Long Beach and San Jose/Oakland. Air Cal and Pacific Southwest Airlines (PSA) are competing applicants for permanent operating authority over this route in Applications Nos. 50261 and 50381, which are currently under submission for decision by the Commission. PSA filed an answer opposing Air Cal's petition on December 13, 1973.

Air Cal maintains that Long Beach is deprived of all air carrier service since the sole carrier, PSA, serving LGB has ceased operations as part of its reductions caused by the current jet fuel shortages. PSA claims that its cessation of service is the result of a labor dispute involving its mechanics and that consequently the emergency exemption procedure set forth in Section 2767 is unavailable.

The Commission concludes that the petition should be denied. We have concluded that the Long Beach-San Jose/Oakland route should be awarded to PSA. Furthermore, the city of Long Beach has not indicated that it will lease any terminal space to Air Cal, even if the Commission concluded that its petition should be granted. Therefore, as a practical matter, service could not be commenced by Air Cal in any respect.

Therefore, IT IS ORDERED that the petition for emergency certificate authority pursuant to Section 2767 of the Public Utilities Code filed by Air California on December 11, 1973 is denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 29th day of JANUARY, 1974.

Veronica L. Sturges
President
William Lyons, Jr.

[Signature]
[Signature]
Commissioners

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