

ORIGINALDecision No. 82991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of
GOLDEN WEST AIRLINES, INC., for a
modification to its certificate of
public convenience and necessity so
as to provide non-stop passenger air
carrier service between Santa Barbara
Airport and the Los Angeles Inter-
national Airport and to provide one-
stop service between Ontario Inter-
national Airport and the Los Angeles
International Airport via the Fullerton
Municipal Airport.

Application No. 54729
(Filed March 14, 1974)

O P I N I O N

Golden West Airlines, Inc. is a passenger air carrier with operations between points in southern California. Two of the routes it is authorized to operate are between Santa Barbara (SBA) and Los Angeles (LAX) via Oxnard (OXR), and between Fullerton (FUL) and LAX either direct or as a one-stop service between Santa Ana (SNA) and LAX. By this application it seeks a restructuring of its authorized routes so as to enable it to schedule certain flights between SBA and LAX as nonstop flights, and to schedule certain nonstop flights between Ontario (ONT) and LAX as one-stop flights via FUL.

Applicant asserts that the market on the SBA-LAX route has increased substantially. It is served by United Air Lines with two round-trip nonstop flights and one one-stop flight daily, and by applicant with eight round-trip one-stop flights daily except Saturday and seven round-trip one-stop flights on Saturday. Applicant and United Air Lines maintain a joint fare arrangement for passengers traveling between SBA and Chicago and points east thereof via LAX. An exhibit attached to the application shows that sufficient traffic

has been generated over the SBA-OXR-LAX route as to require over 250 extra flight sections during three months of December 1973 and January and February 1974 on which 3,290 passengers were transported. The DHC-6 Twin Otter aircraft operated by applicant have 17 passenger seats.

Applicant has also been required to operate extra section flights on schedules over the SNA-FUL-LAX route which is caused primarily by increasing passenger seat demands at SNA. It states that oftentimes the passenger bookings of an SNA-FUL-LAX aircraft flight will show a maximum requirement of seats at SNA while an ONT-LAX flight departing at nearly the same time will have adequate seats to accommodate the Fullerton requirement. The Fullerton airport lies nearly beneath the Ontario to Los Angeles flight path.

Applicant asserts that the requested route modification will not result in reduction of seats or frequency of schedules to any of its existing markets, but will add additional scheduled seats to the Santa Barbara, Oxnard, Fullerton, and Santa Ana markets and contribute to a more efficient operation by applicant.

A copy of the application was served upon officials of the cities and counties involved and upon the airlines and airports affected by applicant's proposal. There are no protests.

Public convenience and necessity require the operations proposed by applicant. The proposed operations encompass service only to airports presently being served by applicant. We find with reasonable certainty that the project involved will not have a significant effect on the environment. The application should be granted. Appendix A of Decision No. 77323 in Application No. 51216 should be amended to incorporate the authorities granted. A public hearing is not necessary.

Applicant is placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money

in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Golden West Airlines, Inc., a corporation, authorizing it to operate as a passenger air carrier, as defined in Section 2741 of the Public Utilities Code, between Santa Barbara Airport, on the one hand, and Los Angeles International Airport, on the other hand; and between Ontario International Airport, on the one hand, and Los Angeles International Airport, on the other hand, via the intermediate point Fullerton Municipal Airport.

2. Appendix A of Decision No. 77323 in Application No. 51216, as amended, is further amended by incorporating therein Fourth Revised Page 1 in revision of Third Revised Page 1, which page is attached hereto and made a part hereof.

3. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. By accepting the certificate applicant is placed on notice that it will be required, among other things, to file annual reports of its operations and to comply with the requirements of the Commission's General Orders Nos. 120-Series and 129-Series.

- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and file tariffs, in triplicate, in the Commission's office.
- (c) The tariff filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the establishment of the authorized service.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 105-Series.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 18th day of JUNE, 1974.

Vernon L. Stinson
President
William J. Lyons
Commissioners

Golden West Airlines, Inc., by this certificate of public convenience and necessity, is authorized to operate as a passenger air carrier over the routes and between the points listed below:

Route 1. Deleted

Route 2. Deleted

Route 3. Los Angeles - Palm Springs
Intermediate Points: El Monte, Ontario,
Riverside, #Fullerton and Colton/San
Bernardino

LAX - EMT	*LAX - PSP (via ONT)
EMT - SBT	ONT - PSP
LAX - ONT	LAX - SBT
ONT - RAL	ONT - SBT
#LAX - ONT (via FUL)	RAL - SBT
LAX - RAL	

Route 4. Los Angeles - Santa Ana
Intermediate Point: Fullerton

LAX - SNA
LAX - FUL
FUL - SNA

Route 5. Los Angeles - Santa Barbara Intermediate
Point: Oxnard

LAX - OXR
OXR - SBA
#LAX - SBA

Issued by California Public Utilities Commission.

#Added by Decision No. 82291, Application No. 54729.