

ORIGINAL

Decision No. 83949

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Applica-
tion of Golden West Airlines,
Inc. for a Certificate of
Public Convenience and
Necessity to provide air
carrier service to and from
Palmdale/Lancaster.

Application No. 55129
(Filed August 22, 1974;
amended September 11, 1974)

INTERIM OPINION

This is an application by Golden West Airlines, Inc., a corporation, (GWA) for the issuance of both a permanent certificate of public convenience and necessity to provide passenger air services to and from Palmdale/Lancaster, Mojave, Inyokern, and Los Angeles International Airport, and for a temporary or interim certificate to provide such service concurrently with the suspension of the service by Hughes Airwest, (Hughes) the existing air carrier serving Palmdale. On August 26, 1974, Hughes filed an application with the Civil Aeronautics Board (CAB) for authority to suspend its service at Palmdale/Lancaster for a period of two years.^{1/} On December 3, 1974 the CAB, in Order 74-12-12 authorized the suspension for seven years, subject to the condition that Hughes not resume service without explicit CAB approval.

Pursuant to a certificate granted by Decision No. 77323 dated June 9, 1970, GWA has been operating as a commuter passenger air carrier with a fleet of DHC-6 Twin Otter aircraft. GWA indicates it has the financial ability and experience necessary to operate the requested service. Applicant had indicated it intends to charge the

^{1/} CAB Docket 26984.

same fares now published by Hughes. Hughes has indicated that it plans to suspend service at Palmdale/Lancaster shortly after the beginning of January 1975, and the communities of Palmdale and Lancaster will then have no air service. The present air service is partially supported by Edwards Air Force Base and Palmdale Plant No. 42 which are both installations of the United State Department of Defense.

It appears that the cessation of the existing air service to the Palmdale/Lancaster area would impose an undue burden on the community and the national interest. The enforcement of the provisions of Sections 2752, 2754, and 2754.1 would be contrary to the public interest. We conclude that pursuant to Section 2767 of the Public Utilities Code, applicant should be exempt from the certificate provisions of Sections 2752, 2754, and 2754.1 for a period of 90 days and should be authorized to perform such air service as set forth below in the order.

Findings

1. Hughes has been authorized to suspend service at Palmdale/Lancaster by the Civil Aeronautics Board for a period of seven years and cannot resume service without explicit approval of the CAB, and pursuant thereto, Hughes is planning to discontinue this service shortly after January 1, 1975.
2. Applicant has sufficient equipment, experience, and financial ability to provide interim service at Palmdale/Lancaster upon the cessation of service by Hughes.
3. The Lancaster Chamber of Commerce, which has protested the application as to the location of the airport, will not be adversely affected by the exemption of the applicant under Section 2767.
4. A public hearing on the permanent certificate requested has been set for March 4, 1975 at Lancaster.

5. The Commission staff has recommended the granting of exemption to the applicant under Section 2767.

6. An exemption is necessary because of the imminent cessation of existing air service by Hughes, thus creating an undue burden on the communities and the national interest.

7. The imminent cessation of existing service is not caused by a labor dispute.

8. The enforcement of the provisions of Sections 2752, 2754, and 2754.1 would be contrary to the public interest under these circumstances.

INTERIM ORDER

IT IS ORDERED that:

1. Golden West Airlines, Inc., a California corporation, is exempted from the certificate provisions of Sections 2752, 2754, and 2754.1 of the Public Utilities Code with respect to passenger air carrier service between Palmdale/Lancaster, Inyokern, Mojave, and Los Angeles International Airport, and is authorized to provide service as follows:

a. Freight and local passengers may be carried between Los Angeles International Airport and Palmdale.

b. Freight and local passengers may be carried between Palmdale and Inyokern.

c. No passengers may be carried between Palmdale and Mojave.

d. Service between Palmdale and Los Angeles International Airport shall be not less than twice daily in each direction on Mondays through Fridays, inclusive.

2. Prior to conducting operations pursuant to said exemption, Golden West Airlines, Inc. shall publish and file in the Commission's

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office tariffs and timetables setting forth the fares and approximate schedules for the exempted service authorized herein. 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.

3. The tariff filings shall be effective immediately upon filing, without notice, and shall conform to the present tariffs of Hughes Airwest.

4. Within ten days after the effective date of this order Golden West Airlines, Inc. shall file with the Commission evidence as specified in General Order No. 120-C that it has in effect liability insurance that complies with said general order in connection with operations as a passenger air carrier.

5. The exemption pursuant to Section 2767 granted by this order shall expire ninety days after the effective date of this order unless sooner canceled, modified, or extended by order of the Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 30th
day of DECEMBER, 1974.

Vernon L. Sturgeon
President
William J. Quinn
Thomas Moran
Robert E. McDavid
Commissioners