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Decision No. 84925

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Marin Aviation, Inc. )  
For a Certificate of Public )  
Convenience and Necessity. )

Application No. 54604  
(Filed January 29, 1974;  
amended May 29, 1974  
and March 12, 1975)

ORDER DENYING REHEARING  
AND MODIFYING DECISION NO. 84488

A petition for rehearing of Decision No. 84488 has been filed by Stol Air, Inc., a protestant in these proceedings. After considering each and every allegation in the petition we are of the opinion that good cause for rehearing has not been made to appear. However, we do believe that Decision No. 84488 should be modified by the inclusion therein of one additional finding of fact.

In Decision No. 84488 we discussed air service by Marin Aviation, Inc., at the Santa Rosa and Novato airports. Implicit in that discussion was a belief that the authorized operations would not adversely affect petitioner in any substantial manner. Since it is now alleged that we violated Public Utilities Code, Section 1705 by failing to make a specific finding in this regard, we will modify Decision No. 84488 to include such a finding.

THEREFORE, IT IS ORDERED that:

1. Decision No. 84488 is hereby modified to include the following finding of fact:

"5a. Except possibly with respect to operations between WGN and SFO, the operation by applicant as a passenger air carrier to FTB, UKI, LAM, STS; WGN, SFO, PAL, SJC, and LIV, with service between SFO and STS restricted to flights operated via WGN and having origin or termination at FTB and UKI, will not adversely affect the operations of Stol Air; and with respect to operations

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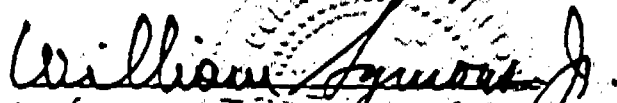
between WGN and SFO, applicant's operations will not have a substantial adverse effect upon Stol Air's operations and any effect is outweighed by the necessity that applicant operate between its base of operations and SFO in the performance of the needed service."

2. Rehearing of Decision No. 84488, as modified hereinabove, is hereby denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 16<sup>th</sup> day of SEPTEMBER, 1975.

  
President







  
Commissioners