

ORIGINAL

Decision No. 84933

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of HARBOR CARRIERS, INC., a
corporation, for authorization to
suspend operation of vessels "on
schedule" as a common carrier of
passengers between San Francisco
and Sausalito.

Application No. 52409

ORDER FURTHER EXTENDING TIME

Ordering Paragraph 3 of Decision No. 79143 dated September 8, 1971 in this proceeding granted applicant a one-year period to commence operations under the certificate of public convenience and necessity granted by Decision No. 73811 dated March 5, 1968 in Application No. 49712, which authorized scheduled common carrier passenger service by vessel between San Francisco and Sausalito subject to the condition that if service was not commenced within the one-year period the authority should lapse and terminate unless the one-year period was extended by further order of the Commission. The one-year period was extended to September 28, 1973 by Decision No. 80547 dated September 26, 1972, to September 28, 1974 by Decision No. 81765 dated August 21, 1973, and to September 28, 1975 by Decision No. 83425 dated September 11, 1974.

By this petition for extension of time, applicant requests a further one-year extension within which to commence operations. The petition alleges that applicant has been unsuccessful in its efforts to obtain a landing site from the city of Sausalito; that the Marin County Superior Court on June 12, 1973 ordered the city of Sausalito

to make available to applicant a suitable downtown landing facility and that the order of the Superior Court was affirmed by the District Court of Appeal in Harbor Carriers, Inc. v City of Sausalito (1975) 46 CA 3d 773. It is further alleged that although applicant is making substantial progress in obtaining a Sausalito terminal, it will be unable to establish service prior to September 28, 1975.

The city of Sausalito filed a letter on July 30, 1975 and a petition on August 26, 1975. The city requested that further extensions of time be denied or that applicant's certificate be revoked. It is alleged that changes have occurred in the seven years since the certificate was granted; that a ferry service is already in operation, managed by the Golden Gate Bridge District; that Sausalito would be adversely affected by a new service because of existing congestion and inadequate parking; that the information provided on applicant's financial ability, equipment, proposed schedules, and rates was presented more than five years ago and should be updated; that an environmental impact report should be prepared by applicant and filed before any extension of time is authorized; and that formal hearings should be scheduled in the near future.

The delay in commencing service was caused by legal proceedings involving applicant and the city of Sausalito. Applicant is entitled to attempt to inaugurate service under its certificate. The Commission finds that the sought extension is justified and concludes that the petition should be granted.

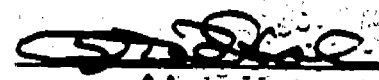
IT IS ORDERED that:

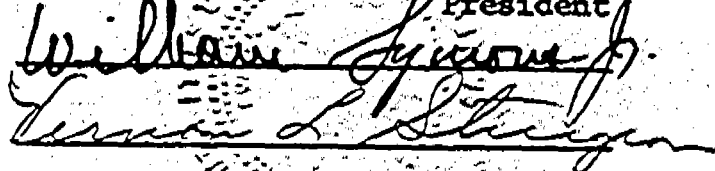
1. Applicant is granted an extension of time to September 28, 1976, or until further order of this Commission, within which to commence the common carrier passenger service by vessel between San Francisco and Sausalito referred to in Ordering Paragraph 3 of Decision No. 79143 dated September 8, 1971 in this proceeding.

2. In all other respects Decision No. 79143 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 23rd
day of SEPTEMBER, 1975.



President


Commissioners

Commissioner Leonard Ross, being
necessarily absent, did not participate
in the disposition of this proceeding.

Commissioner Robert Batinovich, being
necessarily absent, did not participate
in the disposition of this proceeding.