

ORIGINAL

Decision No. 85268

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
EUREKA AERO INDUSTRIES, INCORPORATED,)	
For a Certificate of Public Convenience)	Application No. 54820
and Necessity to Provide Passenger Air)	(Pet. to Modify Dec. 83472)
Carrier Service to and from Eureka to)	(Filed October 30, 1975)
Sacramento, with a Flag Stop at Santa)	
Rosa.)	

O P I N I O N

By Decision No. 83472 dated September 17, 1974, Eureka Aero Industries, Incorporated (Applicant) was granted a temporary Certificate of Public Convenience and Necessity authorizing it to operate as a passenger air carrier between Sacramento and Eureka with a flag stop at Santa Rosa. This temporary authority expires on December 31, 1975. Applicant here requests that the temporary certificate be made permanent. No protests have been received regarding this petition.

Applicant has served Santa Rosa since October 28, 1974, having carried over 1,600 passengers for the twelve-month period ended October 31, 1975. The Commission records indicate that Santa Rosa's monthly passenger volumes have been increasing.

Applicant has the experience, facilities, financial resources, insurance and equipment to perform the aforesaid service.

We find that the granting of a permanent Certificate of Public Convenience and Necessity, in substitution for the temporary Certificate granted by Decision No. 83472, will not have a significant effect on the environment, and that applicant should be granted a permanent certificate.

Eureka Aero Industries, Incorporated 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 Eureka Aero Industries, Incorporated, a corporation, authorizing it to operate as a passenger air carrier between Eureka and Sacramento with a flag stop at Santa Rosa.

2. Appendix A of Decision No. 80076 is further amended by incorporating Third Revised Page 1, attached hereto, in revision of Second Revised Page 1.

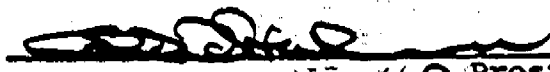
3. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure so to do may result in a cancellation of the authority.

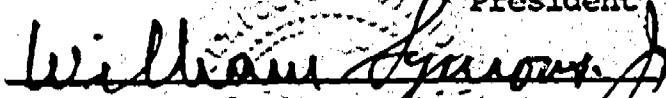

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. By accepting the certificate applicant is placed on notice that it will be required, among other things, to file annual reports of its operations and to comply with the 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 filings 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 30th day of DECEMBER, 1975.



President







Commissioners

Appendix A
(Dec. 80076)

EUREKA AERO INDUSTRIES,
INCORPORATED

Third Revised Page 1
Cancels
Second Revised Page 1

Eureka Aero Industries, Incorporated, by this Certificate of Public Convenience and Necessity, is authorized to operate as a passenger air carrier between the following airports only:

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
ACV	Arcata	Arcata Airport
CEC	Crescent City	McNamara Field
CIC	Chico	Chico Municipal Airport
EKA	Eureka	Murray Field
MYV	Marysville	Yuba County Airport
OAK	Oakland	Oakland International Airport
RBL	Red Bluff	Red Bluff Municipal Airport
SMF	Sacramento	Sacramento Metropolitan Airport
STS	Santa Rosa	Sonoma County Airport

Conditions

1. Each airport shall be served with a minimum of one flight in each direction on each of five days a week.
2. No passenger shall be carried whose transportation is solely between the respective airports of SMF and OAK.
- *3. Santa Rosa shall be served on a flagstop basis and between EKA and SMF only.
 - (a) Carrier shall give at least one hour's prior notification to said carrier's ticketing agency when said carrier intends to overfly STS. Carrier shall land at STS unless such prior notice has been given.
 - (b) Carrier shall not overfly STS if a passenger is in the possession of a purchased ticket and a confirmed reservation one hour or longer before the scheduled departure time.
4. No aircraft having more than 30 revenue passenger seats or a payload more than 7,500 pounds shall be operated.

Issued by California Public Utilities Commission.

* Revised by Decision No. 85268, in Application No. 54320.