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Decision No. 86482

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
FALCON CHARTER SERVICE, INC., a )  
California Corporation, for authority, )  
on a trial and experimental basis, )  
during calendar year 1976, for Falcon's )  
management to establish rate increases )  
of up to forty percent of the present )  
rate, subject to a retroactive review )  
by the Commission in 1977, for commuter )  
service between Foster City and San )  
Francisco, )

Application No. 56141  
(Filed December 23, 1975)

--or in the alternative-- )

for authority to abandon its certifi- )  
cated commuter service between Foster )  
City and San Francisco on or before )  
June 30, 1976. )

OPINION AND ORDER  
DENYING REHEARING OF DECISION NO. 86222

On December 23, 1975, Falcon Charter Service, Inc. (Falcon) filed an application for authority to establish rate increases of up to 40 percent for its certificated commuter service between Foster City and San Francisco or, in the alternative, to abandon that service. Staff moved to dismiss, and oral argument was held upon that motion on February 22, 1976. By Decision No. 86222, issued August 10, 1976, the Commission dismissed Falcon's application and forbade Falcon, without specific Commission authorization, from failing to operate in compliance with its Timetable No. 27. On August 20, 1976, Falcon petitioned for rehearing and/or reconsideration of Decision No. 86222.

Petitioner's principal assertion of error is that we erred in ordering compliance with Timetable No. 27.

Our records, of which we may take official notice, indicate that Timetable No. 27, effective July 21, 1975, establishes Petitioner's current service obligations, and that this timetable has not been lawfully superseded. Petitioner's further argument that its commute operations are in urban service, as defined by General Order No. 98-A, Section 2.04, may more appropriately be raised and addressed in pending Case No. 10131, a complaint proceeding brought by the City of Foster City against Falcon, relating to Falcon's service obligations and related timetables.


Having fully reviewed Falcon's petition, we find that good cause has not been shown to grant rehearing of Decision No. 86222.

IT IS THEREFORE ORDERED that rehearing of Decision No. 86222 is hereby denied.



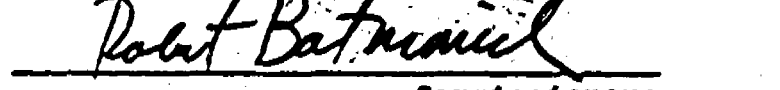
This order and Decision No. 86222, however, are without prejudice to future findings of fact and conclusions of law with respect to Falcon's effective timetables and related service obligations, as such may be determined in pending Case No. 10131 or other proceedings before the Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 5<sup>th</sup> day of OCTOBER, 1976.

  
President

*Labitani*  
*William Lyons, Jr.*

  
  
  
Commissioners