

ORIGINAL

Decision 84 07 019

JUL 5 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
 ISLAND EXPRESS, INC. for a certificate
 of public convenience and necessity to
 conduct operations as a common carrier
 by vessel between Dana Point, Santa
 Monica, and Long Beach, on the one
 hand, and Avalon on Santa Catalina
 Island, on the other hand, and between
 various points on the Island.

Application 83-12-41
 (Filed December 22, 1983)

ORDER OF DISMISSAL

This application was filed on December 22, 1983. By letter dated January 18, 1984, signed by the Commission's Executive Director, applicant was advised the application was not complete and could not be processed until completed. The application was returned to applicant.

By letter dated January 31, 1984 applicant requested that the application remain on file for various reasons. By letter dated February 16, 1984 applicant advised that it and the Commission staff had agreed to the following:

- "1. Application No. 83-12-41 would remain on file and would retain that docket number;
- "2. No work would be undertaken by the Commission Staff on the application until the Applicant submits its Supplemental Information regarding the environmental issues;
- "3. Any and all protestants would have an additional 30 days from the notice of the supplemental filing in the Daily Calendar for filing a protest."

The letter also states that applicant intended to submit the supplemental information as part of an amended application.

On April 3, 1984 protestant H. Tourist, Inc. filed a Motion Seeking a Prehearing Conference and an Order of this Commission Requiring the Immediate Filing of Proponent's Environmental Assessment.

In its letter dated January 31, 1984, applicant represented that the amended application would be filed within the next four to six weeks. The amended application has not been filed.

Under the circumstances we believe the application should be dismissed without prejudice, which will allow applicant to resubmit the application which it intended to do in this proceeding as an amended application. Applicant's rights will not be prejudiced by reason of this dismissal.

IT IS ORDERED that:

1. Any subsequent application for authority similar to that sought here shall be served upon the protestants to this application.
2. Application 83-12-41 is dismissed without prejudice.

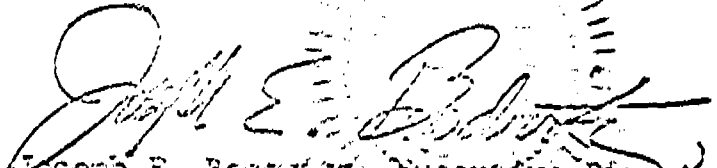
This order is effective today.

Dated JUL 5 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bocovick, Executive Director