

Mailed

JUL 22 1988

Decision 88-07-051 July 22, 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Flight Line Airport Shuttle, Inc., to )  
 extend its existing passenger stage )  
 authority (PSC 1145) to include "on- )  
 call" service between certain portions )  
 of Los Angeles County, and Los Angeles )  
 International Airport (LAX) )..  
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**ORIGINAL**

Application 87-06-001  
(Filed June 1, 1987)



ORDER OF DISMISSAL

Applicant Flight Line Airport Shuttle, Inc. (applicant), a California corporation, seeks a certificate of public convenience and necessity (CPC&N) under Public Utilities Code Section 1031, et. seq. authorizing the transportation of passengers and baggage for hotels and motels now in existence or hereafter constructed, over the most appropriate state and highways between LAX and portions of Los Angeles County identified as the "on-call" service territory as set forth in the application. The application was filed on June 1, 1987. A protest to the application was filed by the City of Los Angeles, Department of Transportation on June 30, 1987 and by SuperShuttle of Los Angeles, Inc. on July 10, 1987.

Hearing was set on the application for September 3, 1987 in the Commission Courtroom, Los Angeles, California. By letter dated August 17, 1987, counsel for protestant SuperShuttle of Los Angeles, Inc., requested that the hearing be taken off calendar because, among other things, the application did not provide sufficient information to determine the feasibility of the proposed operation, and applicant was already providing passenger stage service to the points for which authority was requested by the application. In addition, counsel pointed out that no 1986 Annual Report had been filed with the Commission either by Applicant or

the prior certificate holder, Mr. Melvin Sims, and that the protestant and Commission would be unable to adequately evaluate the operations of applicant until such report was filed. On August 25, 1987, counsel for applicant requested that the public hearing set for September 3 be taken off calendar for the time being. The reason for the request was to allow applicant sufficient time to file an amendment to the application as well as its 1986 annual report. No filings have been filed by applicant to date. On May 24, 1988 the assigned administrative law judge (ALJ) contacted applicant's counsel regarding this application. Counsel stated that he wrote a letter to applicant's president and sent a substitution of attorney to the applicant with a request that applicant substitute him out as counsel because he did not wish to represent applicant any further. Counsel stated that client has never sent back the substitution of attorney form and has had no further contact with the principal.

Inasmuch as there has been no contact between applicant and the Commission or between applicant and its counsel, the application should be dismissed without prejudice for lack of prosecution.

Findings of Fact

1. There has been no contact between applicant and the Commission or between applicant and its counsel since counsel requested to be substituted out as applicant's counsel in this matter.

2. There is no indication that applicant wishes to proceed with this application.

Conclusion of Law

As there has been no action on this application since June 1, 1987, and applicant has made no further effort to proceed with the application, it should be dismissed for lack of prosecution.

ORDER

IT IS ORDERED that Application 87-06-001 is dismissed without prejudice.

This order becomes effective 30 days from today.

Dated JUL 22 1988, at San Francisco, California.

STANLEY W. HULETT  
President  
DONALD VIAL  
FREDERICK R. DUDA  
C. MITCHELL WILK  
JOHN B. OHANIAN  
Commissioners

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

  
Victor Weisser, Executive Director

Decision SS 07 051 JUL 22 1988

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International Airport (LAX) )

Application 87-06-001  
(Filed July 10, 1987)

ORDER OF DISMISSAL

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