

SW/bl/ap

ORIGINAL

Decision No. 87349

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of TG&T Industries, Inc. dba)
Express Transportation Services.)
For certificate of public con-)
venience and necessity to)
operate passenger and baggage)
service between the Hollywood-)
Burbank Airport and Glendale,)
Los Angeles, and Pasadena.)

Application No. 56272
(Filed February 9, 1976)

Stephen C. Smith and Charles
Jones, for applicant.
Walter C. Ray, for Airport
Commuter, Inc., protestant.
Stephen T. Parry, for Southern
California Rapid Transit
District, interested party.
Thomas P. Hunt, for the Commission
staff.

O P I N I O N

This application was filed by TG&T Industries, Inc. (TG&T), a California corporation, dba Express Transportation Services. TG&T subsequently amended its articles of incorporation changing its name to Extran Incorporated (Extran). Extran's amended articles of incorporation were submitted to the Commission along with late-filed Exhibit 3 and in Extran's filings to modify its Radial Highway Common Carrier Permit No. T-111698 and its Charter-party Permit No. TCP-571.

At the hearing Extran Incorporated, dba Express Transportation Services (applicant), requested a certificate of public convenience and necessity to establish and operate an automotive service for the transportation of passengers and baggage between the Hollywood-Burbank Airport (Airport) and the Los Angeles Regency Hyatt House (Hyatt) under Sections 1031 and 1032 of the Public Utilities Code. Applicant's witness verbally amended the application to delete the stops requested in the application which would compete with protestant, Airport Commuter, Inc., a passenger stage corporation. Applicant presently provides automotive transportation for airline crews, transports passengers between airports, and transports lost airline baggage.

Upon notice, a hearing was held in Los Angeles before Examiner Jerry Levander on December 6, 1976 and the hearing was concluded subject to the receipt of late-filed Exhibit 3.

Late-filed Exhibit 3 expanded applicant's requested certificate. The staff requested applicant to amend its application if it desired authority to add additional hotel stops to its request. After applicant failed to act, the examiner sent a letter dated February 22, 1977 to applicant's president as follows:

"At the December 6, 1976 public hearing in this matter you verbally amended your application by deleting several hotels from your proposal. You limited your request to service between the Hollywood-Burbank Airport and the Hyatt Regency Hotel in Los Angeles. You agreed to file late-filed Exhibit 3 showing your revised schedule and route.

"The exhibit you submitted consisting of a cover letter and a revised application form expanded your request to add stops at three additional hotels. The Commission staff has contacted your office several times advising you that an amendment to the application must be filed to add the additional points to your request and to advise you of deficiencies and errors in the material supplied as Exhibit 3.

"As of this date, you have not filed an amended application which is needed to process your latest request nor revised Exhibit 3 to permit action on your earlier request for service between the Hollywood-Burbank Airport and the Hyatt Regency Hotel in Los Angeles. If you do not take one of the actions described above by March 15, 1976 [sic 1977], I will assume that you are not prepared to go forward and I will recommend that the Commission dismiss your application.

"If you desire to go forward, I would suggest that you contact Mr. Hunt for further clarification of necessary changes in your showing."

Applicant took no action in response to the February 22, 1977 letter as of April 1, 1977.

We find and conclude that the application should be dismissed for lack of prosecution by applicant.

O R D E R

IT IS ORDERED that the application of Extran Incorporated, formerly known as TG&T Industries, Inc., dba Express Transportation Services, is dismissed.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California,
this 17th day of MAY, 1977.

Talent Bateman
President
William Guyon
Vernon L. Sturgeon
Richard D. Howell
Commissioners