

Decision No. 87625 JUL 19 1977 -

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Southwest
 Airlines for a certificate of
 public convenience and necessity
 to provide passenger air service
 in either direction between San
 Diego and Fresno nonstop; San
 Diego and Stockton nonstop; San
 Diego and Stockton via Fresno;
 San Diego and San Francisco via
 Stockton; San Diego and San
 Francisco via Fresno and San
 Diego and San Francisco via
 Fresno and Stockton.

Application No. 57290
 (Filed May 6, 1977)

O P I N I O N

Pacific Southwest Airlines (PSA) is a passenger air carrier operating between airports located at San Diego, Long Beach, Los Angeles, Ontario, Burbank, Fresno, Stockton, San Jose, San Francisco, Oakland, Sacramento, and South Lake Tahoe.

In this application PSA seeks authority to provide air service in either direction between San Diego and Fresno nonstop, San Diego and Stockton nonstop, San Diego and Stockton via Fresno, San Diego and San Francisco via Stockton, San Diego and San Francisco via Fresno, and San Diego and San Francisco via Fresno and Stockton.

In support of this request, the application states as follows: PSA's central purpose is to provide improved San Diego (SAN) service to Fresno (FAT) and Stockton (SCK) passengers. To that end, PSA's initial intention is to provide service at peak periods such as weekends and holidays. As these markets demonstrate an increased need for service, PSA will increase its service. To afford the necessary flexibility to develop the markets, particularly nonstop authority to FAT and SCK, in accordance with its best business discretion, PSA deems it essential that no minimum flight operations be imposed either on a daily or weekly basis.

PSA asserts that its proposed service is warranted for the following reasons: The proposed service would alleviate the heavy congestion at Los Angeles International Airport (LAX) at peak periods. PSA will be the only carrier offering the service in question; thus, while service is certain to provide added convenience for FAT/SCK passengers, it is not calculated to create diversion from any competing carrier. The proposed service will not result in the reduction or elimination of any existing service. The objectives of PSA's proposal are to reduce travel delays at LAX and improve the flight convenience of FAT/SCK passengers, who are presently without nonstop service between SAN-FAT and SCK. The newly proposed service will provide direct and nonstop service to all of these points at peak periods. As these markets develop, additional service can be added as warranted. At this juncture, flexibility is vital as operations are initially tested for passenger demand.

The application further states that PSA initially proposes to provide the proposed nonstop service only on weekends and holidays. The application asks that no minimum service requirements be imposed in this order so that PSA may have sufficient flexibility to assess passenger demand during the initial service phase. PSA states that it would not be willing to accept any minimum conditions on the number of flights that must be provided, whether on a daily, weekly, or other calendar basis.

PSA proposes to assess its current fares, which were established pursuant to Decision No. 87207 dated April 12, 1977 in Application No. 56907. PSA seeks a general fare increase in Application No. 56973 and intends to apply the fares authorized in that proceeding to the proposed nonstop service.

PSA asserts that it possesses all of the insurance, facilities, equipment, personnel, and financial ability necessary to inaugurate the proposed service. All of PSA's aircraft have current valid airworthiness certificates, and its flight crews maintain current licenses pursuant to the regulations of the Federal Aviation Administration for the operation of the equipment utilized by it. PSA proposes to operate Boeing 727 jet aircraft in connection with the proposed service. The San Diego International, Fresno Municipal, Stockton Municipal, and San Francisco International Airports will accommodate the aircraft proposed to be utilized.

Pursuant to Rule 17.1 of the Commission's Rules of Practice and Procedure, PSA moves for a Negative Declaration with respect to the impact on the environment of the proposal contained herein. PSA asserts that its proposed service will not have a significant effect on the environment for the following reasons: The number of aircraft arriving and departing from San Diego,

Fresno, Stockton, and San Francisco airports will not be significantly increased as a result of an award to PSA. All of these airports are presently accommodating a large number of aircraft. PSA's operations will be conducted and improved with the latest techniques available to limit both aircraft noise and pollutant emissions. PSA asserts that it has long been considered a pioneer in the activity of noise and smoke abatement in connection with its operations.

PSA requests that its application be considered and granted on an ex parte basis, inasmuch as it is desirous of initiating immediate service and opposition to the application is not anticipated. Copies of the application were served in accordance with Commission rules. No protest or request for hearing has been received.

Findings

1. PSA is a passenger air carrier holding a certificate of public convenience and necessity authorizing it to provide passenger air service between SAN and FAT and SCK via LAX, and between San Diego and San Francisco direct or via LAX.

2. In this application PSA seeks a certificate authorizing it to provide air passenger service in either direction between San Diego and Fresno nonstop, San Diego and Stockton nonstop, San Diego and Stockton via Fresno, San Diego and San Francisco via Stockton, San Diego and San Francisco via Fresno, and San Diego and San Francisco via Fresno and Stockton. PSA requests that no minimum service requirements be established if the proposed service is authorized, as it intends, at least initially, to provide the proposed service only during peak-traffic periods, such as on weekends and holidays.

3. PSA currently has tariffs on file with the Commission for service over the proposed routes. Therefore, no new tariff filings are required.

4. The alternate routings and the nonstop service proposed herein will provide flexibility of operations which will permit PSA to offer a more complete and better service to the public during periods when full utilization of its aircraft and of airport facilities is achieved; and allows PSA to avoid operations through LAX, which facilities are usually overtaxed during major holiday periods and on weekends.

5. PSA possesses the necessary business experience, financial ability, insurance, and aircraft to provide the additional type of service proposed. The proposed service will permit more economical operations than those provided under PSA's present certificate during the peak-traffic periods the additional service will be performed. No minimum schedules should be attached to the proposed service, as the additional peak-period service is supplementary to existing service between points for which minimum schedules are provided in PSA's present certificate.

6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

7. A public hearing is not necessary.

We conclude that the application should be granted as provided in the order which follows.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Pacific Southwest Airlines, a corporation, authorizing it to operate as a passenger air carrier as defined in Section 2741 of the Public Utilities Code to provide service in either direction between: San Diego and Fresno nonstop, San Diego and Stockton nonstop, San Diego and Stockton via Fresno, San Diego and San

Francisco via Stockton, San Diego and San Francisco via Fresno, and San Diego and San Francisco via Fresno and Stockton.

Appendix A to Decision No. 79085 is amended by incorporating therein Fourth Revised Page 2 in revision of Third Revised Page 2.

2. 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. No later than five days after the establishment of service, applicant shall give the Commission written notice

of the date of institution of the
service.

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

Dated at San Francisco, California, this 19th
day of JULY, 1977.

Robert Babin
President
William Lyons Jr
James L. Strayhorn
Richard D. Howell

Commissioners

Commissioner CLARE T. DEDRICK

Present but not participating.

Routes (continued)

15. Nonstop between Hollywood-Burbank Airport and Sacramento Metropolitan Airport.
16. Nonstop between San Diego International Airport and Sacramento Metropolitan Airport.
17. Between Hollywood-Burbank Airport and Sacramento Metropolitan Airport via intermediate point of Oakland Metropolitan International Airport.
18. Nonstop between Oakland Metropolitan International Airport and Sacramento Metropolitan Airport.
19. Between San Diego International Airport and Sacramento Metropolitan Airport via intermediate point of Oakland Metropolitan International Airport.
20. Between San Diego International Airport and Sacramento Metropolitan Airport via intermediate point of Hollywood-Burbank Airport.
21. Between San Diego International Airport and Sacramento Metropolitan Airport via intermediate points of Hollywood-Burbank Airport and Oakland Metropolitan International Airport.
20. Between San Francisco International Airport and Los Angeles International Airport via Stockton Metropolitan Airport and Fresno Air Terminal, with San Francisco International Airport and/or Los Angeles International Airport being a terminal point on the route and with Stockton Metropolitan Airport and/or Fresno Air Terminal being served as intermediate points or as a terminal point on the route; and with the right to conduct direct and/or connecting service to San Diego International Airport from the Los Angeles International Airport, and to Sacramento Metropolitan Airport from the San Francisco International Airport.
- #23. Between San Francisco International Airport and San Diego International Airport via Stockton Metropolitan Airport and Fresno Air Terminal, with San Francisco International Airport and/or San Diego International Airport being a terminal point on the route and with Stockton Metropolitan Airport and/or Fresno Air Terminal being served as intermediate points or as a terminal point on the route.

Issued by California Public Utilities Commission.

#Added by Decision No. 87625, Application No. 57290.