

ORIGINAL

Decision No. 88783 MAY 2 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Universal Marine Corporation for a certificate of public convenience and necessity to expand operations as a common carrier by vessel in the Los Angeles and Long Beach harbors. Application No. 57692 (Filed November 17, 1977)

H-10 WATER TAXI CO., LTD.,

Complainant,

vs.

UNIVERSAL MARINE CORPORATION, a corporation,

Defendant.

Case No. 10345 (Filed June 7, 1977)

ORDER MODIFYING
TEMPORARY RESTRAINING ORDER

Pursuant to Rule 43 of our Rules of Practice and Procedure defendant Universal Marine Corporation (Universal) seeks modification of our order issued August 16, 1977 in D.87731 which states in relevant part that:

"It is ordered that Universal Marine Corporation shall cease and desist from conducting operations as a common carrier by vessel which are not performed in conjunction with the transportation of freight by its barges equipped with cranes. This restraint shall also include the water taxi service performed for boarding parties of port officials, customs inspectors, and the like."

On November 17, 1977, Universal filed its application seeking a Certificate of Public Convenience and Necessity under Section 1007 of the Public Utilities Code (Code) to conduct unrestricted water taxi operations in the Los Angeles/Long Beach Harbor, and other marine installations, rigs, ships, and vessels

The evidence adduced at the hearings will support a finding that there is a need for additional water taxi service in the Los Angeles/Long Beach Harbor, and that to continue our temporary restraining order in full effect would be detrimental to the shipping public and ship operators.

IT IS ORDERED that:

1. D.87731 is modified by lifting the restraint on water taxi service performed for boarding parties of port officials, customs inspectors, and the like.

2. Said restraining order does not apply to water taxi service rendered in vessels under the burden of five tons net register.

In all other respects said decision remains in full force and effect.

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

Dated at San Francisco, California, this 2nd day of MAY, 1978.

Robert Bateman
President
William S. Jones, Jr.
Thomas L. Sturgeon
Robert W. Howell
Clair J. Deitch
Commissioners