

JUL 25 1978

Decision No. 89163

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of STOL AIR, INC.)
 ("STOL") for a certification of)
 public convenience and necessity)
 and for exemption from the require-)
 ment that a certificate of public)
 convenience and necessity be issued)
 so that pursuant to said certification))
 exemption STOL be authorized to)
 operate as a passenger air)
 carrier between San Francisco)
 and Ukiah; San Francisco and)
 Clear Lake; and Ukiah and Clear)
 Lake; and that said exemption be)
granted on an ex parte basis.)

Application No. 57952
(Filed March 29, 1978)

O P I N I O N

By Decision No. 88790, issued May 2, 1978, the Commission granted Stol Air, Inc. (Stol) a 90-day exemption from certificate requirements pursuant to Sections 2752, 2754 and 2754.1 of the Public Utilities Code in order to allow the carrier to operate as a passenger air carrier over routes discontinued by Nor-Cal Aviation, Inc. (Nor-Cal). The 90-day exemption was issued to expeditiously preserve continuity of service over the routes, which involve Ukiah Municipal Airport (UKI), Lampson Field (Clear Lake) (CKE), Gness Field (Novato) (NOT) and Sonoma County Airport (Santa Rosa) (STS) and to allow time for protests before a final order be issued. No protests have been received.

The purpose of this order is to grant Stol permanent authority over the subject routes and to revise the certificates of Stol and Nor-Cal to effect a transfer of Nor-Cal's authority at UKI, CKE, NOT and STS to Stol's certificated authority.

Nor-Cal recently acquired the routes and assets of Marin Aviation, Inc., dba California Air Commuter, (Decision No. 88134 issued November 22, 1977, in Application No. 57048 of Nor-Cal). The authority at issue here is formally contained in the certificate of Marin Aviation, Inc. (Marin) and is separate from the

certificate of Nor-Cal Aviation, Inc., though Nor-Cal owns and operates both route systems. Nor-Cal more recently was purchased and reorganized by Mr. Donald J. Fritz. The company's name is now Nor-Cal Aviation, Inc., dba Nor-Cal Airlines. Operations are no longer being performed under the name California Air Commuter. Marin Aviation, Inc., no longer exists as a passenger air carrier.

In granting the subject authority to Stol, we will concurrently revoke that authority from Nor-Cal's certificate. To effect revocation of the subject authority contained in Marin's certificate and to consolidate all authority owned and operated by Nor-Cal, we will revoke the entire certificate of Marin and concurrently reissue the authority to Nor-Cal, excluding the points of UKI, CKE, NOT and STS.

Stol is an established carrier, having operated as a passenger air carrier since 1972 and has been providing service over the subject route for the past three months. No protests to this application have been received. No hearing is necessary. We see no reason not to grant the authority sought on a permanent basis.

Inasmuch as Stol has already filed a tariff for the subject service, pursuant to Decision No. 88790, no new tariff need be filed pursuant to this order and existing fares may continue in effect.

Since Stol's exemption authority expires on July 30, 1978, and in order to insure continuity of service, this order will be effective the date of the decision.

O R D E R

IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted to Stol Air, Inc., a corporation, authorizing it to extend its operations as a passenger air carrier, as defined in Section 2741 of the Public Utilities Code, between the points Ukiah Municipal Airport, Lampson Field (Clear Lake), Gness Field (Novato) and Sonoma County Airport (Santa Rosa). Appendix A of Decision No. 83262 is amended by incorporating First Revised Page 1 attached hereto and made a part hereof in revision of Original Page 1.

2. The Certificate of Public Convenience and Necessity of Nor-Cal Aviation, Inc., is revised to incorporate the authority granted to Marin Aviation, Inc., as described in Appendix A of Decision No. No. 84488, as amended, and excluding all airports which have been discontinued by Marin Aviation, Inc., and/or Nor-Cal Aviation, Inc. to date. Appendix A of Decision No. 80689, as amended, is further amended by incorporating Third Revised Page 1 attached hereto and made a part hereof in revision of Second Revised Page 1, and by incorporating Original Page 2, attached hereto and made a part hereof.

3. The Certificate of Public Convenience and Necessity granted to Marin Aviation, Inc., authorizing it to operate as a passenger air carrier over routes and between points in California, and as more particularly described in Appendix A of Decision No. 84488, as amended, is revoked.

4. Within ten days after the effective date of this order, the applicant shall file a written acceptance of the certificate granted. By accepting the certificate, the 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.

5. The Executive Director shall cause a certified copy of the order to be served on Nor-Cal Aviation, Inc. and Marin Aviation, Inc. ✓

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 25th day of JULY, 1978.

Robert Bapucnil
President
William S. ...
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...
...
Commissioners

Stol Air, Inc., by this certificate of public convenience and necessity, is authorized to operate, as a passenger air carrier between the following airports only:

SFO-STS	# SFO-UKI	
SFO-APC	# SFO-CKE	CCR-APC
SFO-CCR	# STS-UKI	CCR-STIS
*SFO-NOT	# STS-CKE	APC-STIS
*STS-NOT	# UKI-CKE	

Conditions:

- *1. No aircraft having more than 30 revenue passenger seats or a payload of more than 7,500 pounds shall be operated.
2. Each airport pair shall be served with a minimum of one flight in each direction on each of five days a week.
- *3. No passenger shall be carried whose transportation is solely between the respective airports of CCR and APC, CCR and STS, and APC and STS.
4. The following airports shall be used:

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
SFO	San Francisco	San Francisco International
STS	Santa Rosa	Sonoma County Airport
CCR	Concord	Buchanan Field
*NOT	Novato	Gross Field
APC	Napa	Napa County Airport
#UKI	Ukiah	Ukiah Municipal Airport
#CKE	Clear Lake	Lampson Field

Issued by California Public Utilities Commission.

#Added or *Revised by Decision No. 89163, Application No. 57952.

#Nor-Cal Aviation, Inc., by this Certificate of Public Convenience and Necessity is authorized to operate as a passenger air carrier between the following airports:

Route 1

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
RDD	Redding	Redding Municipal
CIC	Chico	Chico Municipal
SMF	Sacramento	Sacramento Metropolitan

Route 2

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
SFO	San Francisco	San Francisco International
SJC	San Jose	San Jose Municipal
SMF	Sacramento	Sacramento Metropolitan
TIA	Truckee	Truckee-Tahoe
TVL	South Lake Tahoe	Tahoe Valley

Route 3

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
SJC	San Jose	San Jose Municipal
MRY	Monterey	Monterey Peninsula

Issued by California Public Utilities Commission.

#Revised by Decision No. **89163**, Application No. 57952.

#CONDITIONS

1. All aircraft operated shall be certified by the Federal Aviation Administration for operation by a single pilot and shall have capacities not exceeding 30 revenue passenger seats or 7,500 pounds payload.
2. Minimum service requirements are as follows:
 - a. Each airport on Route 1 shall be served with a minimum of one flight in each direction on each of five days a week.
 - b. SFO shall have at least 12 scheduled incoming flights and 12 scheduled departing flights each week.
 - c. SJC, TTA, TVL and MRX shall have at least five scheduled incoming flights and five scheduled departing flights each week.
3. Carrier shall give at least one hour's prior notification to said carrier's ticketing agency at Chico Airport when said carrier intends to overfly said airport. Carrier shall land at said airport unless such prior notice has been given.
4. Carrier shall not overfly Chico Airport if a passenger is in possession of a purchased ticket and a confirmed reservation one hour or longer before the scheduled departure time from that airport on the flight on which the passenger holds a confirmed reservation.

Issued by California Public Utilities Commission.

#Revised by Decision No. 89163, Application No. 57952.