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ORIGINAL

Decision No. 89550

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter Of The Application
 Of GOLDEN WEST AIRLINES For The
 Issuance Of An Ex-Parte Certificate
 Of Public Convenience and Necessity
 To Provide Passenger Air Carrier
 Service To/From Edwards Air Force
 Base

Application 58342
 (Filed September 8, 1978)

OPINION AND ORDER

Golden West Airlines (Golden West), a California Corporation, seeks authority to operate as a passenger air carrier between Los Angeles International Airport (LAX) and Edwards Air Force Base (EDW) nonstop and/or via Palmdale Airport (PMD).

Golden West requests ex parte handling of its application and that authority be granted so that it may inaugurate service on November 1, 1978. No protests have been received.

Golden West has been providing service as a passenger air carrier pursuant to Certificates of Public Convenience and Necessity issued by this Commission since 1967. Its service area encompasses much of Southern California, extending in a more or less radial pattern from LAX to Oxnard, Santa Barbara, Orange County, Palomar, San Diego, Fullerton, Ontario, Riverside, Palmdale, Mojave and Inyokern. Expanding service to EDW would be a logical extension of Golden West's LAX-PMD service, adding approximately 22 air miles to that route, each way. The distance by air between LAX and EDW is approximately 78 miles.

The proposed fares, including tax, are \$30.00 between LAX and EDW and \$8.25 between PMD and EDW.

Golden West states that its proposed service was requested by the U. S. Air Force and will replace current ground transportation provided by the Air Force between LAX and EDW during early morning and evening hours Monday through Friday. The primary market will be Air Force personnel desiring transportation between the base and LAX.

U. S. Air Force representatives at EDW state that its current transportation service, which is restricted to personnel with travel orders, carries

approximately 400 to 500 passengers per month between LAX and EDW. The Air Force expects that other than duty personnel will also avail themselves of airline service to and from LAX and that Golden West should carry approximately 1,200 passengers per month. Trans World Airlines alone tickets approximately 1,200 EDW passengers each month through LAX to and from other points.

The Air Force confirms that Golden West has been authorized to use the Base Operations passenger terminal facility presently used by Air Force personnel at EDW.

There is presently no scheduled air passenger service provided between LAX and EDW.

F I N D I N G S

1. Golden West has demonstrated its ability to maintain extensive scheduled service as a passenger air carrier.
2. The carrier has the necessary experience, equipment and financial stability to perform the proposed service.
3. The proposed fares are reasonable for this type of operation.
4. The proposed service is in the public interest.
5. Golden West has on file with this Commission evidence of insurance in compliance with General Order 120-C.
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. No protests have been received and no hearing is necessary.

C O N C L U S I O N S

Based upon the foregoing findings of fact, the Commission concludes that a Certificate of Public Convenience and Necessity should be granted to Golden West Airlines to provide passenger air carrier service between Los Angeles International Airport and Edwards Air Force Base, either nonstop or via Palmdale Airport.

Golden West Airlines is placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the granting of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of

business. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

In order that Golden West may institute service on November 1, 1978, we will make this order effective ten days after the date of the order.

As a separate administrative action we will revoke Golden West's authority at Trona Airport. Golden West discontinued service at Trona in accordance with Section 2769.5 of the Public Utilities Code on June 1, 1978. Its certificate will be amended herein to effect this revocation.

O R D E R

IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted to Golden West Airlines, a corporation, authorizing it to operate as a passenger air carrier between Los Angeles International Airport and Edwards Air Force Base both nonstop and via Palmdale Airport. Golden West Airlines' authority at Trona Airport is revoked. Appendix A of Decision 87857 is amended by incorporating First Revised Page 2 and First Revised Page 3, attached hereto, in revision of Original Page 2 and Original Page 3.

2. In providing service pursuant to the authority granted by this order, Golden West Airlines 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 in accordance with General Order No. 134 and to comply with the requirements of the Commission's General Orders Nos. 120, 129, 137 and 144.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and file tariffs in triplicate, in the Commission's office.

- (c) The tariff filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the establishment of the authorized service.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs as set forth in the Commission's General Order No. 105-Series.

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

Dated at San Francisco, California, this 17th day of OCTOBER, 1978.

William J. Lyons President
George L. Sturgeon
Richard D. Howell
Clair J. Davis Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

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Appendix A
(Dec. 87857)

GOLDEN WEST AIRLINES

First Revised Page 2
Cancels
Original Page 2

Route 4. Los Angeles - Catalina Island

Intermediate Point: Long Beach

LAX - LGB
LGB - SXC
*LAX - SXC (via LGB)
LAX - SXC (seasonal, June 1 through
September 15)
LGB - AVX
LGB - TWH

Route 5. Orange County/Santa Ana - Catalina Island

SNA - SXC (seasonal, June 1 through
September 15 each year)

#Route 6. Los Angeles - Inyokern

Intermediate Points: Palmdale, Mojave, Edwards Air Force Base

LAX - INY
LAX - MHV (f) PMD - MHV (Closed Door Only)
INY - MHV (f) #LAX - EDW
LAX - PMD #PMD - EDW
PMD - INY

Route 7. Santa Barbara - San Diego

Intermediate Points: Oxnard, Orange County, Carlsbad

SBA - SAN SNA - CRQ
OXR - SNA CRQ - SAN
OXR - SAN

Conditions:

1. Authority granted herein is limited to passenger air carrier operations over the specific routes and between the airport pairs listed thereunder as described above.
2. Operation between an airport on one route and an airport on any other route shall not be provided except through an airport that is common to the two routes.
3. Airport pairs marked with "*" shall be served only via intermediate point or points shown.

Issued by California Public Utilities Commission.

#Revised or #Added by Decision No. 89550. Application No. 58342.

Conditions: (continued)

4. On each route each airport shall be served with a minimum of one flight in each direction on each of the five days a week except LAX-PMD, which will be served with a minimum of two flights in each direction on each of the five days a week.
5. Points designated (f) receive flag stop service only.
6. Carrier shall not overfly an airport designated as a flag stop (f) if a passenger is in possession of a purchased ticket and 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.
7. No aircraft having more than 30 revenue passenger seats or a payload of more than 7,500 pounds shall be operated.
8. The following airports shall be used:

<u>Symbol</u>	<u>Location</u>	<u>Name</u>
SBA	Santa Barbara	Santa Barbara Municipal Airport
OXR	Oxnard	Oxnard/Ventura Airport
LAX	Los Angeles	Los Angeles International Airport
ONT	Ontario	Ontario International
RAL	Riverside	Riverside Municipal Airport
LGB	Long Beach	Long Beach International Airport
FUL	Fullerton	Fullerton Municipal Airport
SNA	Santa Ana	Orange County Airport
SXC	Catalina Island	Airport-In-The-Sky, Hilltop
TWH	Catalina Island	Two Harbors (Seaplane Operations)
AVX	Catalina Island	Avalon Bay (Seaplane Operations)
SET	Colton/San Bernardino	(Airport to be determined)
MHV	Mojave	Mojave Airport
INY	Inyokern	Kern County Airport No. 8
PYD	Palmdale	U.S. Air Force Plant No. 42
CRQ	Carlsbad	Palomar Airport
SAN	San Diego	San Diego International Airport
#EDW	Edwards Air Force Base	Edwards Air Force Base

Issued by California Public Utilities Commission.

#Added by Decision No. 89550, Application No. 58342.