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ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

CITY OF SANTA MARIA, A Municipal Corporation, CITY OF LOMPOC, a Municipal Corporation, and SANTA MARIA PUBLIC AIRPORT DISTRICT, a Public Airport District,

Complainants,

vs

HUGHES AIR CORP., doing business as HUGHES AIRWEST, a corporation,

Defendant.

Case No. 10011
(Filed November 26, 1975)

ORDER OF DISMISSAL

This complaint was filed to request an order reducing the air passenger fares charged by Hughes Airwest on its Santa Maria-Los Angeles and Santa Maria-San Francisco flights.

Pursuant to the order of the U.S. District Court for the Northern District of California (Hughes Air West, et al. v PUC., et al., Civil No. C-78-2880-SW, March 9, 1979), this Commission is permanently enjoined from regulating the rates, routes, or services of any air carrier having authority ~~or holding an exemption~~ *Kv* under Title IV of the Federal Aviation Act of 1958, as amended. The court has held that the sole authority to regulate the intra-state operations of such airlines lies with the Civil Aeronautics Board. The order has been appealed by this Commission.

Processing of this complaint has been withheld pending resolution of the jurisdictional issues. The facts under which this complaint was filed, by the time the U.S. District Court's Order is appealed, will very likely have changed.

This complaint should be dismissed because the jurisdictional issue raised in the federal court proceeding may not be finally resolved for some time. If the jurisdictional issue is resolved in favor of the Commission and California, this complaint may be refiled.

Therefore, IT IS ORDERED that this complaint is dismissed without prejudice.

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

Dated APR 2 1980, at San Francisco, California.

John E. Bryson

President

Richard D. Hoyle

Lawrence J. ...

Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.