

Decision No. 92822 MAR 17 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of LOUIS H. IMMETHUN (Purchaser) )  
and JACK F. FREITAS (Seller) for )  
authorization to transfer )  
Certificate of Public Convenience )  
and Necessity. )

Application No. 56056  
(Filed November 12, 1975)

SUPPLEMENTAL OPINION

By Decision No. 85435 dated February 10, 1976, the Commission granted Louis H. Immethun, pursuant to Application 56056, a certificate of public convenience and necessity (VCC-42) to "conduct operations as a common carrier by vessel for the fulfillment of his contract with the County of Contra Costa and for the transportation of passengers and freight over False River between Jersey and Bradford Island and Webb and Franks real estate tracts."

In addition to providing ferry service pursuant to his contract with the County of Contra Costa, Mr. Immethun provided "on-call" service pursuant to tariffs on file with the Commission.

On or about June 30, 1980 the contract with the County expired. The contract was not renewed and the ferry service was discontinued. On January 6, 1981 the Board of Supervisors of the County of Contra Costa approved the County's purchase of the ferry.

Because the vessel common carrier authority operations have been discontinued, the certificate of public convenience and necessity (VCC-42) granting that authority should be revoked and tariffs on file with the Commission should be cancelled.

Findings of Fact

1. Louis H. Immethun (an individual), pursuant to a certificate of public convenience and necessity, was authorized to conduct operations as a common carrier by vessel for the fulfillment of a contract with the County of Contra Costa and to conduct additional service on an "on-call" basis.

2. The contract with the County of Contra Costa has expired and has not been renewed.

3. The vessel common carrier operations by Mr. Immethun have been discontinued.

4. The County of Contra Costa has approved its purchase of the ferry.

Conclusion of Law

Service under the certificate of public convenience and necessity is no longer being performed, and the certificate should be revoked.

SUPPLEMENTAL ORDER

IT IS ORDERED that:

The certificate of public convenience and necessity (VCC-42) to conduct vessel common carrier operations is revoked and tariffs on file with the Commission pursuant to the certificate are cancelled.

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

Dated MAR 17 1981, at San Francisco, California.

John E. Boyer  
 President

Richard W. Hoyle

Lernard W. Dennis

Victor Calvo

Commissioners