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BEFORE THE
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 189

Served August 31, 1962

IN THE MATTER OF:

Application of Clancy Limousine)	
Service, Inc., for a Certificate)	
of Public Convenience and Necessity)	Application No. 41

Clancy Limousine Service, Inc., seasonably filed an application for a certificate of public convenience and necessity under Section 4(a), Article XII, of the Washington Metropolitan Area Transit Regulation Compact, which section is commonly referred to as the "grandfather clause." Numerous exhibits were enclosed in the application, one of which was a copy of Interstate Commerce Commission Certificate of Public Convenience and Necessity, No. MC-96307, which authorized applicant to transport passengers in charter and sightseeing operations in vehicles limited to not more than six (6) passengers.

Applicant's operations on the effective date of the Compact consisted of charter and special operations under the Interstate Commerce Commission certificate and sightseeing operations. All of the transportation by applicant was on-call, over irregular route, and directed by the passenger, and conducted in vehicles designed to carry eight (8) passengers or less, excluding the driver.

The Commission is of the opinion that this case is controlled by the rationale of the Montgomery Charter Service case, decided on July 20, 1962, and contained in Commission Order No. 172. It was the Commission's opinion there that the transportation of passengers in vehicles with a seating capacity of eight (8) passengers or less, excluding the driver, operated on-call, over irregular routes, at the passenger's direction, and not operating between fixed termini or on regular schedules is in fact a type of taxicab operation, not subject to the certificate of public convenience and necessity requirements of Section 4(a) of the Compact, and therefore not entitled to a certificate of public convenience and necessity. Therefore, the Commission is of the opinion that this application should be dismissed.

THEREFORE, IT IS ORDERED that the application of Clancy Limousine Service, Inc., be, and it is hereby, dismissed.

FOR THE COMMISSION:

A handwritten signature in cursive script, appearing to read "Delmer Ison".

DELMER ISON
Executive Director