

BEFORE THE  
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 218

Served November 14, 1962

IN THE MATTER OF

Application of Airport	)	
Transport, Inc. for a	)	Application No. 216
Certificate of Public	)	Docket No. 28
Convenience and Necessity	)	

APPEARANCES:

Linwood C. Major, attorney for applicant.

S. Harrison Kahn, attorney for A. B. & W. Transit Company,  
Protestant.

Manuel J. Davis, attorney for W. V. & M. Coach Company, Protestant.

Ross Langdon, attorney for Federal Aviation Agency, Intervenor.

Harold Smith, attorney for D. C. Transit System, Inc., Intervenor.

Robert J. Stanford and William F. Reed, attorneys for Montgomery  
Charter Service, Inc., Intervenor.

Henry G. Bartsch, T/A Airport Dispatching Service, Pro Se,  
Intervenor.

Airport Transport, Inc., filed an application for a Certificate of Public Convenience and Necessity to transport passengers and their baggage over irregular routes in interstate commerce, (1) between Washington National Airport and Dulles International Airport, and (2) between Washington, D. C. and Dulles International Airport. Notice of the application and hearing was given as required by the Commission. Hearings on the application were held on October 11, 12, and 19, 1962, before Examiner Russell W. Cunningham.

At the hearing, the applicant sought to amend that portion of the application pertaining to operations between Washington National

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Airport and Dulles International Airport by restricting it to persons having a prior or subsequent movement by air, and further restricting it or provide that no incidental charter or special operation rights would accrue should the application be granted and a certificate be issued. Upon the granting of the motion to amend by the Examiner, the A. B. & W. Transit and the W. V. & M. Coach Company, Inc., withdrew their protest. Likewise, D. C. Transit Company, Inc. and Montgomery Charter Service, Inc. stated that they had no opposition to the amended application. While Henry G. Bartsch was admitted at the hearing as an intervenor, he neither cross-examined the witnesses nor presented any testimony in his own behalf. Nine witnesses testified in favor of the application. These included one official of the applicant, an official of the Federal Aviation Agency and seven public witnesses. A total of twenty-nine (29) exhibits were received in evidence, including an Interstate Commerce Commission certificate.

Prior to the lodging of the Dulles International Airport within the jurisdiction of this Commission the transportation of passengers having a prior or subsequent movement by air was exempt from regulation. However, on July 6, 1962, the applicant received authority from the Interstate Commerce Commission to operate in special operations over irregular routes in interstate commerce, (1) between Washington National Airport and the Dulles International Airport, restricted, however, to the transportation of not more than fourteen (14) passengers in any one vehicle, and (2) between Washington, D. C. and the Dulles International Airport. Since the issuance of this authority by the Interstate Commerce Commission, the Dulles International Airport has been placed within the geographical jurisdiction of this Commission. It should be further noted that the transportation of passengers having a prior or subsequent movement by air is not exempt from regulation under the Compact.

The application here seeks to have us authorize the transportation set forth above, and, in addition, remove the fourteen (14) passengers restriction. It should also be noted that the Compact does not confer incidental charter or special operation authority upon the holder of a certificate from this Commission.

While the Washington National Airport, located at Gravelly Point, Arlington, Virginia, and the Dulles International Airport, Chantilly, Virginia, are both located within the State of Virginia, the only practical route, at least at this time, is over the George Washington Memorial Parkway, a portion of which is located within the District of Columbia. Thus the Commission is in no sense authorizing the intrastate transportation of passengers.

Upon the evidence adduced at said hearings, the Commission is of the opinion and finds that the public convenience and necessity does and will require the proposed transportation, that the applicant is fit, willing, and able to perform such transportation, and that a certificate of public convenience and necessity authorizing such transportation should be granted to the applicant.

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THEREFORE, IT IS ORDERED:

1. That Certificate of Public Convenience and Necessity No. 7 be, and it is hereby, granted to Airport Transport, Inc. to transport passengers for hire over public streets, highways and parkways in interstate commerce as follows:

IRREGULAR ROUTE SPECIAL OPERATIONS:

Passengers and their baggage, in special operations.

(1) Between Washington National Airport, Gravelly, Virginia and Dulles International Airport, Chantilly, Virginia.

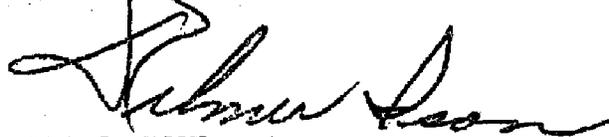
Restriction: The authority granted above is limited to the transportation of passengers having a prior or subsequent movement by air.

(2) Between Washington, D. C. and the Dulles International Airport, Chantilly, Virginia.

2. That unless compliance is made by said applicant with the tariff and insurance requirements of the Commission within thirty (30) days after the date of this order, the granting of authority given in this order shall be considered as null and void, and the application shall stand denied in its entirety effective upon the expiration of the compliance time set forth above.

3. That in all other respects, the application be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:



DELMER ISON  
Executive Director