

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,444

IN THE MATTER OF:

Served July 1, 2008

Petition of DULLES AIRPORT TAXI, )  
INC., Trading as WASHINGTON FLYER, )  
for an Airport Access Fee Surcharge )

Case No. MP-2008-125

This proceeding was initiated on April 28, 2008, in Order No. 11,313, for the purpose of considering a request to permit Washington Flyer taxicab drivers to add a surcharge of \$2.50 to the fare for each interstate taxicab trip originating at Washington Dulles International Airport.

Pursuant to the Washington Metropolitan Area Transit Regulation Compact,<sup>1</sup> the Commission is responsible for prescribing the rates, charges, regulations, and minimum insurance requirements for interstate taxicab trips between one Compact signatory and another<sup>2</sup> where the origin and destination are both within the Metropolitan District.<sup>3</sup> The Metropolitan District includes Dulles Airport.<sup>4</sup>

Dulles Airport Taxi, Inc., (DAT), operates a taxicab concession at Dulles Airport under the trade name "Washington Flyer." DAT filed a petition requesting that the Commission issue an order authorizing a \$2.50 surcharge for each interstate taxicab trip originating in a Washington Flyer taxicab at Dulles Airport.

The current interstate rates for trips in Washington Flyer taxicabs went into effect February 5, 2006.<sup>5</sup> Since then, according to the petition, the Metropolitan Washington Airports Authority, (MWAA), which operates Dulles Airport, has begun charging Washington Flyer taxicab drivers a \$2.50 access fee each time a Washington Flyer taxicab enters and exits the Dulles Airport "Commercial Vehicle Curbside" area - the passenger loading zone - through the airport's taxicab dispatch system.

Order No. 11,313 established a thirty day comment period after noting that the Commission has authorized taxicab drivers to pass

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<sup>1</sup> Pub. L. No. 101-505, § 1, tit. II, art. XI, § 1(b), 104 Stat. 1300, 1304, (1990) (codified at D.C. CODE ANN. § 9-1103.01 (2007); Md. TRANSP. CODE ANN. § 10-203 (2007); & VA. CODE ANN. §§ 56-529, 530 (2007)).

<sup>2</sup> The Compact signatories are the District of Columbia, the Commonwealth of Virginia, and the State of Maryland.

<sup>3</sup> Compact, tit. II, art. XI, § 18(a).

<sup>4</sup> Compact, tit. II, art. I.

<sup>5</sup> *In re Interstate Taxicab Rates and Charges*, No. MP-05-132, Order No. 9240 (Jan. 6, 2006).

through to passengers a similar access fee paid to MWAA for taxicab trips originating at Ronald Reagan Washington National Airport (Washington National) since 1975.<sup>6</sup> Two parties filed comments: co-concessionaire Dulles Taxi Systems, Inc., (DTS), and MWAA.

DTS supports the proposed \$2.50 surcharge on the ground that the Dulles access fee is analogous to the Washington National access fee. MWAA also supports a \$2.50 surcharge, but not because of the access fee. According to MWAA: "Contractually, the Airports Authority does not believe any increase [in Washington Flyer interstate rates] is warranted because of the access fee. The Airports Authority addressed the economic impact of this access fee on Washington Flyer taxicab operators by reducing the stand dues they could be charged by Washington Flyer taxicab companies."

MWAA recommends that the Commission instead adopt a temporary six-month fuel surcharge of \$2.50 per trip for all interstate Flyer trips, not just those originating at Dulles, to compensate Washington Flyer drivers for the recent increase in fuel expense. MWAA recommends implementing the per-trip charge by adding it to the Washington Flyer meter rate for the first quarter mile. MWAA advocates permanently increasing the Washington Flyer mileage rate by a commensurate amount upon expiration of the per-trip surcharge.

Given MWAA's comments, we cannot say that petitioner has made a case for adopting a Dulles Airport access fee surcharge. We will, however, give DAT and DTS an opportunity to respond before making a decision.

In the meantime, we will initiate a separate proceeding to determine whether a fuel surcharge is warranted for interstate taxicab trips conducted in Washington Flyer taxicabs.<sup>7</sup>

THEREFORE, IT IS ORDERED: that Dulles Airport Taxi, Inc., and Dulles Taxi Systems, Inc., shall have thirty days to respond to the comments filed by the Metropolitan Washington Airports Authority.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.  
Executive Director

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<sup>6</sup> See *In re Interstate Taxicab Fares*, No. 265, Order No. 1439 (June 20, 1975) (approving pass-through of National Airport taxicab fee).

<sup>7</sup> *In re Interstate Taxicab Fuel Surcharge for Washington Flyer Taxicabs*, No. MP-08-169, Order No. 11,445 (July 1, 2008). See *In re Interstate Taxicab Charges for DC Taxicabs*, No. MP-04-117, Order No. 8327 (Oct. 8, 2004) (declining to expand ratemaking proceeding to include matters beyond scope described in initial notice).