

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1301

IN THE MATTER OF:

Application of DIAMOND TOURS, INC., ) Served January 29, 1974  
for Amendment of Certificate of )  
Public Convenience and Necessity ) Application No. 797  
Application of THE GRAY LINE, INC., ) Application No. 799  
for Amendment of Certificate of )  
Public Convenience and Necessity ) Consolidated Docket No. 254

By motion filed January 16, 1974, Diamond Tours, Inc. (Diamond) requests an indefinite continuance of this consolidated proceeding or the removal of Diamond's Application No. 797 from the Commission's hearing calendar. The Gray Line, Inc. (Gray Line) by motion filed January 21, 1974, seeks to have the consolidated proceeding re-assigned for formal hearing during the month of April, 1974, other than the week of April 22, 1974. No answers or objections to these motions have been filed.

Diamond's reasons for seeking an indefinite continuance of the consolidated proceeding or removal of its application from the hearing calendar are that it has not finalized development plans for a very imaginative and innovative type of new service it intends to perform; that the recent energy shortage forces speculation as to future fuel availability, and that its chief executive officer's recent hospitalization has complicated preparation of its case. Diamond submits that the presentation of its case at this time would not be in the best interest of itself and the public.

Gray Line contends that the need for a continuance arises from the virtually complete dedication of time by the management

to problems inherent in the critical energy situation. Gray Line submits that it would not be feasible to proceed on February 5, 1974. Further, it is stated that no further extension in time is contemplated and that no person will be adversely affected by the requested extension in time.

The Commission is of the opinion that Application No. 797 of Diamond and Application No. 799 of Gray Line should be dismissed without prejudice to the carriers filing new applications at a subsequent date. The several delays requested by the parties to the consolidated proceeding has postponed a decision by this Commission until either April, 1974, for Gray Line, or some indefinite date in the future for Diamond. Furthermore, dismissal of the applications will not prejudice the interest of the applicants or adversely affect the public.

THEREFORE, IT IS ORDERED:

1. That Application No. 797 of Diamond Tours, Inc., and Application No. 799 of The Gray Line, Inc., as consolidated in Docket No. 254, be, and they are hereby, dismissed without prejudice to the carriers filing new applications.

2. That the motion of Diamond Tours, Inc., for an indefinite continuance and the motion of The Gray Line, Inc., for continuance of formal hearing be, and they are hereby, dismissed as moot.

3. That the hearing scheduled for February 5, 1974, by Order No. 1290, served December 10, 1973, be, and it is hereby, cancelled.

BY DIRECTION OF THE COMMISSION:



HYMAN J. BLOND  
Executive Director