

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1499

IN THE MATTER OF:

Served February 12, 1976

Application of EXECUTIVE LIMOUSINE )  
SERVICE, INC., to Amend Certifi- )  
cate of Public Convenience and )  
Necessity No. 18 )

Application No. 912

Docket No. 310

By Application No. 912, filed January 29, 1976, Executive Limousine Service, Inc. (Executive) seeks to amend its certificate of public convenience and necessity pursuant to Title II, Article XII, Section 4(g). Executive seeks the addition of the Hyatt Regency Washington, 400 New Jersey Avenue, N. W., Washington, D. C., to its existing authority.

The Hyatt Regency Washington is a new hotel scheduled to open on or about March 1, 1976. The location of the Hyatt Regency Washington is directly across the street from the Quality Inn-Capitol Hill, which is a point currently served by Executive. The amended operating authority would be as follows:

**SPECIAL OPERATIONS:** Irregular routes, limited to limousine service, between Dulles International Airport, Chantilly, Virginia, on the one hand, and on the other, the Burlington Hotel, Vermont Avenue at Thomas Circle, N. W., Washington, D. C., and between Dulles International Airport, Chantilly, Virginia, on the one hand, and on the other, the Quality Inn-Capitol Hill, 415 New Jersey Avenue, N. W., Washington, D. C., with intermediate stops at the Hyatt Regency Washington, 400 New Jersey Avenue, N. W., Washington, D. C., and L'Enfant Plaza Hotel, 480 L'Enfant Plaza East, S. W., Washington, D. C.

The proposed service between Dulles International Airport and the Hyatt Regency Washington would be provided daily between approximately 4 P. M. and 6 P. M. The per capita fare would be \$4 for a one-way trip.

The paragraphs contained in Title II, Article XII, Section 4 of the Compact govern the issuance of certificates of public convenience and necessity. Paragraph (a) required the Commission to grant such certificate to any person who was engaged in bona fide transportation on the effective date of the Compact without requiring further proof of public convenience and necessity, if application for such certificate was made within 90 days

after the effective date of the Compact. Paragraph (b) provides that all other certificates shall be issued after a hearing, if the Commission finds that the applicant is fit, willing, and able to perform the transportation, and to conform to the provisions of the Compact and that such transportation is or will be required by the public convenience and necessity. Paragraph (g) provides that certificates shall be effective until suspended or terminated. However, any certificate may be amended or revoked, in whole or in part, either upon application by a certificated carrier to the Commission, in the discretion of this Commission, or for willful failure to comply with any order of the Commission, on the Commission's own initiative or upon complaint, after notice and hearing.

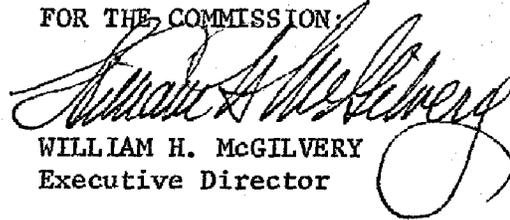
By Application No. 912 Executive seeks to increase its authority. A grant of the proposed amendment would result in new special operations authority not previously contained in Executive's certificate. Approval of the amendment thus must be based on those requirements set forth in Section 4(b) of Article XII of the Compact. Accordingly, a public hearing shall be scheduled to develop an appropriate record. Executive shall be assessed an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear.

THEREFORE, IT IS ORDERED:

1. That Application No. 912 of Executive Limousine Service, Inc., be, and it is hereby, scheduled for public hearing to commence Tuesday, March 2, 1976, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.
2. That Executive Limousine Service, Inc., publish in a newspaper of general circulation in the Metropolitan District and post in each vehicle that it operates a notice in the form prescribed by the staff of the Commission of such application and hearing no later than Wednesday, February 18, 1976, and present at the hearing a certificate of publication from the selected newspaper and a certification of posting.
3. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Wednesday, February 25, 1976, and shall mail a copy of such protest or notice to counsel of record for Executive Limousine Service, Inc., Maxwell A. Howell, Esquire, Suite 1100 Investment Building, 1511 K Street, N. W., Washington, D. C. 20005.
4. That Executive Limousine Service, Inc., be, and it is hereby, assessed \$200 pursuant to the provisions of the Compact, Title II, Article

XII, Section 19 and directed to deliver said amount to the office of the Washington Metropolitan Area Transit Commission, Room 314, 1625 I Street, N. W., Washington, D. C., on or before Wednesday, February 25, 1976.

FOR THE COMMISSION:

A handwritten signature in cursive script, appearing to read "William H. McGilvery", written over the typed name and title.

WILLIAM H. MCGILVERY  
Executive Director