

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1706

IN THE MATTER OF:

Served June 8, 1977

Application of WEBB TOURS, INC.,)
for Temporary Authority to Conduct)
Special Operations - Wolf Trap)

Application No. 1000

By Application No. 1000, filed May 31, 1977, Webb Tours, Inc. (Webb), seeks temporary authority to transport passengers from various points in the Metropolitan District, as specified below, to Wolf Trap Farm Park for the Performing Arts (Wolf Trap) near Vienna, Va., and return. Service will be offered in connection with scheduled performances at Wolf Trap on Thursday, Friday and Saturday evenings and when, in the judgment of the carrier, demand is sufficient for other performances. The proposed round-trip fare is \$2.80 per person.

Webb proposes to provide service primarily in English double-deck buses. It presently owns two such vehicles and has two more on order from England. It should be noted, however, that Webb's contract with Wolf Trap provides that "[w]here there are passengers in excess of the capacity of the double-decker buses, [Webb] shall utilize clean and comfortable vehicles to provide transportation services."

In support of the application, Wolf Trap submitted a letter indicating its need for Webb's service. Approximately 300,000 persons attend the performing arts attractions at Wolf Trap during the summer months, and common carrier transportation is said to be an essential alternative to private transportation. Common carrier service has been provided in the past by Bannister Enterprises, Inc. (Bannister), pursuant to its Certificate No. 32, but Wolf Trap asserts that it experienced difficulties with Bannister's service. Wolf Trap believes that the unique type of vehicle operated by Webb will result in increased ridership and increased attendance at Wolf Trap functions. It is also alleged that Webb's vehicles are far more economical in fuel consumption than the vehicles used by Bannister.

Webb has entered into a contract with Wolf Trap to provide the above-described service, subject to the approval of this Commission, for the season June 2, 1977, through August 28, 1977. Persons desiring to utilize Webb's service are to make advance reservations by calling the carrier. All of Wolf Trap's generic advertisements include Webb's name and telephone number.

With respect to the availability of existing carriers, Webb asserts that both the Washington Metropolitan Area Transit Authority (Metro) and The Gray Line, Inc. (Gray Line), have refused to supply the required service. Bannister, which provided the service in the past in sedans, vans, or coaches depending upon the number of advance reservations, cannot now provide the required service. By Order No. 1691, served May 17, 1977, Bannister's Certificate No. 32 was suspended for failure to comply with the provisions of the Compact and Commission Regulation 62 dealing with security for the protection of the public. Although the carrier subsequently filed evidence of compliance with respect to some of its operations, the suspension of that part of Bannister's certificate authorizing service to and from Wolf Trap was continued by Order No. 1695, served May 19, 1977.

The Compact, Title II, Article XII, Section 4(d)(3) provides that the Commission may, in its discretion and without hearings or other proceedings, grant temporary authority where there is an immediate and urgent need for the provision of service and where there is no carrier service capable of meeting such need. It appears that applicant has satisfied its statutory burden of proof. Wolf Trap has articulated a definite need for service on behalf of its patrons, and existing carriers are apparently unable or unwilling to meet this need. Accordingly, the application shall be granted.

THEREFORE, IT IS ORDERED:

1. That Application No. 1000 of Webb Tours, Inc., be, and it is hereby granted and that said carrier be, and it is hereby, granted temporary authority to provide the following service:

IRREGULAR ROUTES:

SPECIAL OPERATIONS, transporting passengers from Ramada Inn, Lanham, Md.; Sheraton Inn, Lanham, Md.; Holiday Inn, 2100 New York Avenue, N. E., Washington, D. C.; Hyatt Regency Hotel, 400 New Jersey Avenue, N. W., Washington D. C.; Washington Hotel, 15th Street and Pennsylvania Avenue, N. W., Washington, D. C.; Capital Hilton Hotel, 16th Street and K Street, N. W., Washington, D. C.; Dominique's Restaurant, 20th Street and Pennsylvania Avenue, N. W., Washington, D. C.; Mayflower Hotel, Connecticut Avenue and DeSales Street, N. W., Washington, D. C.; Holiday Inn, Tysons Corner, McLean, Va.; and points on that part of Connecticut Avenue, N. W., Washington, D. C., located north of junction DeSales Street, N. W., and at or south of Chevy Chase Circle at the District of Columbia-Montgomery County, Md. line;* to Wolf Trap Farm Park for the Performing Arts, near Vienna, Va., and return.

* Specific points duplicating the territory here described have been eliminated.

2. That said temporary authority be, and it is hereby, effective beginning on the date of service of this order and continuing through August 28, 1977.

3. That Webb Tours, Inc., be, and it is hereby, directed to file its WMATC Temporary Authority Tariff No. 1 within five calendar days from the date of service hereof, said tariff to be effective upon acceptance by the Executive Director.

BY DIRECTION OF THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director

