

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1783

IN THE MATTER OF:

Served December 22, 1977

Application of VINCENT FERGUSON GIBSON)
T/A CONTINENTAL LIMOUSINE for a Cer-)
tificate of Public Convenience and)
Necessity to Perform Special Opera-)
tions - Dulles International Airport)
-----)
EXECUTIVE LIMOUSINE SERVICE, INC.)

Application No. 986

Docket No. 366

v.)

Formal Complaint No. 77-2

Docket No. 373

VINCENT FERGUSON GIBSON)
T/A CONTINENTAL LIMOUSINE)
-----)
Application of EXECUTIVE LIMOUSINE)
SERVICE, INC., for a Certificate of)
Public Convenience and Necessity to)
Perform Special Operations)

Application No. 994

Docket No. 371

By Order No. 1765, served November 1, 1977, and incorporated herein by reference, the Commission, inter alia, denied the above-captioned application of Vincent Ferguson Gibson trading as Continental Limousine (Continental) for a certificate of public convenience and necessity to transport flight crews from the Gramercy Inn, 1616 Rhode Island Avenue, N. W., Washington, D. C., and the Shoreham Americana Hotel, 2500 Calvert Street, N. W., Washington, D. C., to the Dulles International Airport, Chantilly, Va., and return incoming crews to the Gramercy Inn and the Shoreham Americana. Order No. 1765 also directed Continental to cease and desist from the transportation for hire of persons between any points in the Metropolitan District, unless and until appropriate authority is in effect therefor. Order No. 1765 also granted, in part, the above-captioned application of Executive Limousine Service, Inc. (Executive), for a certificate of public convenience and necessity authorizing special operations between Dulles International Airport and Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, the Gramercy Inn and the Shoreham Americana Hotel.

Pursuant to Order No. 1765, revised Certificate No. 18 was issued to Executive on November 7, 1977. This certificate restricted the above-described grant of authority to service performed in vehicles with a seating capacity of 15 persons or less (including the driver).

On November 23, 1977, Executive filed its petition to remove the restrictions from its certificate which limit service to the Gramercy Inn and Shoreham Americana Hotel in vehicles with a seating capacity of 15 persons or less (including the driver). On November 30, 1977, Continental filed its application for reconsideration of Order No. 1765, thereby staying execution thereof pursuant to Title II, Article XII, Section 16, of the Compact. On December 6, 1977, Executive filed its reply. */

Executive's petition to remove the above-mentioned restrictions from its certificate shall be denied. Specific support for Executive's application was limited to the two hotels authorized and was for service in limousine or van-type vehicles. Accordingly, our grant of authority conforms to the probative evidence of record, and Executive has not made the requisite showing that the public convenience and necessity warrants a broader grant of authority.

Insofar as Continental's application for reconsideration is concerned, the Commission finds that the public interest warrants limited reconsideration on the issues of Continental's and Executive's fitness. Accordingly, the Commission shall reopen the record in Application Nos. 986 and 994 for the limited purposes of receiving additional evidence concerning the issues of Continental's compliance fitness and Executive's operational fitness.

Hearings shall be scheduled at which Continental and Executive shall be allowed to present evidence and examine and cross-examine witnesses concerning the above-mentioned issues. See Compact, Title II, Article XII, Section 16. Continental and Executive shall be assessed an amount preliminarily estimated to cover the expenses each is required to bear pursuant to Title II, Article XII, Section 19 of the Compact.

THEREFORE, IT IS ORDERED:

1. That the application of Vincent Ferguson Gibson trading as Continental Limousine for reconsideration of Order No. 1765, except to the extent granted herein, be, and it is hereby, denied.

2. That the record in Application No. 986 be, and it is hereby, reopened for the sole purpose of receiving additional evidence concerning the compliance fitness of the applicant therein.

3. That a public hearing for receipt of such evidence be, and it is hereby, scheduled to commence at 9:30 a.m., Friday, January 13, 1978,

*/ On December 9, 1977, Continental filed its reply to Executive's reply. This pleading is not authorized by our Rules of Practice and Procedure, and, accordingly, will not be considered by the Commission. See Rule 28 of the Rules of Practice and Procedure of the Commission.

in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

4. That Vincent Ferguson Gibson trading as Continental Limousine be, and is hereby, assessed \$250 pursuant to the provisions of the Compact, Title II, Article XII, Section 19, and directed to deliver said amount to the offices of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than 12 noon, Monday, January 9, 1978.

5. That the petition for removal of restrictions of Executive Limousine Service, Inc., be, and it is hereby, denied.

6. That the record in Application No. 994 be, and it is hereby, reopened for the sole purpose of receiving additional evidence concerning the operational fitness of the applicant therein.

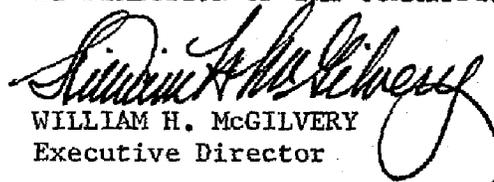
7. That a public hearing for receipt of such evidence be, and it is hereby, scheduled to commence at 1 p.m., Friday, January 13, 1978, in the aforesaid Hearing Room of the Commission.

8. That Executive Limousine Service, Inc., be, and it is hereby, assessed \$250 pursuant to the provisions of the Compact, Title II, Article XII, Section 19, and directed to deliver said amount to the aforesaid offices of the Commission no later than 12 noon, Monday, January 9, 1978.

9. That Certificate of Public Convenience and Necessity No. 18 as reissued to Executive Limousine Service, Inc., on November 7, 1977, be, and it is hereby, suspended until further order of the Commission.

10. That Certificate of Public Convenience and Necessity No. 18 as reissued to Executive Limousine Service, Inc., on February 4, 1977, be, and it is hereby, reinstated until further order of the Commission.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director

BARNES, Vice Chairman, not participating.

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

NOTICE OF CORRECTION

TO ORDER NO. 1783

IN THE MATTER OF:

Served December 22, 1977

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The above-captioned order, at page 3, ordering paragraph nos. 9 and 10, suspended Certificate of Public Convenience and Necessity No. 18 as reissued to Executive Limousine Service, Inc. (Executive), on November 7, 1977, until further order of the Commission and reinstated that carrier's Certificate No. 18 as reissued on February 4, 1977. The reason for this action was the filing by Vincent Ferguson Gibson of an application for reconsideration of Order No. 1765, served November 1, 1977, which granted Executive certain additional operating rights.

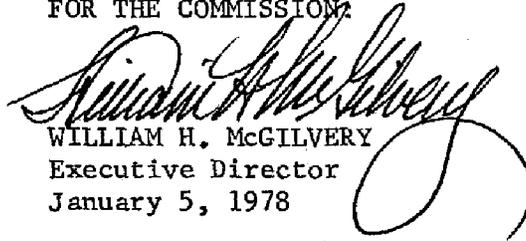
Inasmuch as the above-referenced application for reconsideration does not assert error with respect to those additional operating rights involving Washington National Airport, said rights should have been deleted from the suspension action in said ordering paragraph no. 9. The correct ordering paragraph is as follows:

9. That Certificate of Public Convenience and Necessity No. 18 as reissued to Executive Limousine Service, Inc., on November 7, 1977 [except to the extent that the carrier is authorized to conduct special operations, over irregular routes, between Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, the Gramercy Inn, 1616 Rhode Island Avenue, N. W., and the Shoreham Americana Hotel, 2500 Calvert

Street, N. W., Washington, D. C., restricted to the transportation of Trans World Airlines aircraft crews, together with their baggage, and further restricted to the performance of such operations in vehicles with a seating capacity of 15 persons or less (including the driver)] be, and it is hereby, suspended until further order of the Commission.

Please attach this correction notice to your copy of Order No. 1783.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director
January 5, 1978