

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1928

IN THE MATTER OF:

Served November 29, 1978

Application of EXECUTIVE LIMOUSINE)
SERVICE, INC., for Temporary)
Authority -- Pan-Am Crews)

Case No. AP-78-51

By application filed November 21, 1978, as supplemented, Executive Limousine Service, Inc. (Executive), seeks temporary authority to conduct charter operations pursuant to contract transporting aircraft crews of Pan American World Airways, Inc. (Pan Am), together with their baggage, over irregular routes, between points in the Metropolitan District. Service would be performed in various types of equipment including limousines (regular and stretched), vans, busettes and a 1977 motor coach, presumably depending on the number of passengers to be transported on a particular trip.

The proposed contract requires Executive to transport crew personnel "between the airports, hotels and other points generally within the Washington, D. C. metropolitan area but with no intermediate stops" pursuant to the following schedule of charges.

FARES FOR CHARTER SERVICE IN VEHICLES ACCOMMODATING UP
TO 14 PASSENGERS IN ONE-WAY SERVICE:

Between National Airport and Dulles International Airport <u>1/</u>	\$ 40
Between National Airport and Washington, D. C.	15
Between National Airport and BWI Airport <u>2/</u>	45
Between Andrews AFB and Washington, D. C.	40

1/ Although both Washington National Airport and Dulles International Airport are located in the Commonwealth of Virginia, the natural route between the airports traverses Columbia Island, a point in the District of Columbia. However, to ensure that no service is authorized solely within the Commonwealth of Virginia, and thus beyond our jurisdiction by virtue of Title II, Article XII, Section 1(b) of the Compact, an appropriate restriction will be imposed on the grant of temporary authority made below.

2/ Baltimore-Washington International Airport is not located within the Metropolitan District. To the extent that application may be construed as seeking authority to serve that point, the application is hereby dismissed for lack of jurisdiction.

Between Dulles International Airport and Washington, D. C.	\$ 40
Between Dulles International Airport and BWI Airport <u>2/</u>	65
Between Washington, D. C. and BWI Airport <u>2/</u>	45
Between Dulles International Airport and Leesburg, Va. <u>3/</u>	25

FARES FOR CHARTER SERVICE IN VEHICLES ACCOMMODATING UP TO 49 PASSENGERS IN ONE-WAY SERVICE:

Between National Airport and Dulles International Airport <u>1/</u>	\$ 80
Between National Airport and Washington, D. C.	45
Between National Airport and BWI Airport <u>2/</u>	85
Between Andrews AFB and Washington, D. C.	80
Between Dulles International Airport and Washington, D. C.	80
Between Dulles International Airport and BWI Airport <u>2/</u>	125
Between Washington, D. C. and BWI Airport <u>2/</u>	85
Between Dulles International Airport and Leesburg, Va. <u>3/</u>	80

The above charges include up to 1/2 hour's delay. If vehicle is delayed more than 1/2 hour, a charge of \$5 per 1/2 hour will apply to vehicles accommodating up to 14 passengers, or \$10 per 1/2 hour will apply to vehicles accommodating up to 49 passengers.

In support of the application, Pan Am states that it often has non-scheduled flights arriving at the Washington airports. Accommodations for the crews of these flights must be arranged on short notice including transportation to and from hotels and between airports. At least three or four flights a week are involved, with crew sizes varying from eight to 20 persons per flight. Because these arrivals may take place with only a one-day notice, Pan Am must frequently contact a number of hotels before finding sufficient space to lodge these crews. Accordingly, it is not possible for Pan Am to name specific hotels to and from which service will be required, and Pan Am desires that Executive be able to provide service to and from all hotels and motels in the Metropolitan District. 4/

3/ Leesburg, Va., is located in Loudoun County beyond the Metropolitan District. Moreover, transportation between Leesburg and Dulles International Airport would appear to be solely intra-Virginia in nature. See footnote 1, supra. The application, to this extent, is hereby dismissed for lack of jurisdiction.

4/ Counsel for applicant has advised the staff of the Commission that the description Washington, D. C., as used in the rate schedule, supra, is intended to mean the Washington, D. C. metropolitan area.

Pan Am formerly utilized the services of Central Delivery Limo Service 5/ but states that this company recently "went out of business". Greyhound Airport Service, Inc., holds appropriate authority but has consistently declined to commit vehicles for airline crew transportation. Both Atwood's Transport Lines, Inc., and The Gray Line, Inc., 6/ hold appropriate authority, but neither carrier operates vehicles other than motor coaches, thereby limiting their utility to Pan Am. Counsel for these carriers has stated that they have no interest in opposing this application.

Title II, Article XII, Section 4(d)(3) of the Compact provides that the Commission may, in its discretion, grant temporary authority to enable the provision of service for which there is an immediate and urgent need which no carrier service is capable of meeting. Generally, we find that these statutory criteria have been met in this case. No need has been shown, however, for service to points other than airports and hotels, and, as noted above, a restriction will be imposed against solely intra-Virginia transportation. Inasmuch as an appropriate tariff and evidence of insurance and compliance with our regulation governing identification of motor vehicles have already been provided, no additional filing requirements will be imposed. Executive is cautioned, however, that a corresponding application for permanent authority should be filed within 30 days to assure sufficient time for the processing thereof.

THEREFORE, IT IS ORDERED:

1. That the above-referenced application of Executive Limousine Service, Inc., to the extent indicated in footnotes 2 and 3, supra, is hereby dismissed.

2. That Executive Limousine Service, Inc., is hereby granted temporary authority to conduct charter operations pursuant to contract, transporting aircraft crews of Pan American World Airways, Inc., together with their baggage in the same vehicle with the passengers, between Andrews Air Force Base, Md., Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, Andrews Air Force Base, Md., Dulles International Airport, Herndon, Va., Washington National Airport, Gravelly Point, Va., and hotels and motels located in the Metropolitan District, restricted (1) to transportation rendered pursuant to a continuing contract or contracts

5/ Presumably, this reference is to Central Delivery Service of Washington, Inc., which holds no authority to serve Pan Am.

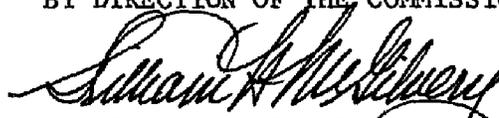
6/ The Gray Line, Inc., is not accepting new business pending consummation of its transfer of operating rights and certain assets as approved in Case No. AP-78-30.

between Executive Limousine Service, Inc., and Pan American World Airways, Inc., and (2) against transportation between points solely within the Commonwealth of Virginia.

3. That the above-specified temporary authority shall be effective on the date of service hereof and shall continue in effect until Sunday, May 27, 1979, at 11:59 p.m., unless otherwise ordered by the Commission.

4. That in all other respects the above-described application is hereby denied.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director