

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1938

IN THE MATTER OF:

Served December 12, 1978

Application of CALL-A-MESSENGER,)
INC., for a Certificate to Perform)
Charter Operations Pursuant to)
Contract -- United Airlines)

Case No. AP-78-53

By application filed December 7, 1978, Call-A-Messenger, Inc. (CAM), seeks a certificate of public convenience and necessity to perform charter operations pursuant to contract with United Airlines, transporting passengers and their baggage, in the same vehicle with passengers, between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, points in the Metropolitan District, 1/ restricted to the transportation of crew members of United Airlines consisting of flight officers and flight attendants only.

CAM has been performing this service since temporary authority therefor was approved by Order No. 1924, served November 21, 1978. The CAM-United contract is for a period of two years, provided, however, that United may terminate the agreement prematurely upon 30 days' prior written notice and either party may terminate upon 30 days' prior written notice after two years. The rate schedule set forth in the contract is as follows:

A. National Airport to Downtown	\$ 4.00
National Airport to Dulles	15.50
Dulles Airport to BWI	29.50 <u>2/</u>
Dulles Airport to National Airport	15.50

1/ The Commission lacks jurisdiction to grant authority for service solely within the Commonwealth of Virginia. Compact, Title II, Article XII, Section 1(b). To the extent this application may be construed as seeking such authority, it is hereby dismissed.

2/ BWI presumably refers to Baltimore Washington International Airport located at a point beyond this Commission's territorial jurisdiction. Accordingly, rates involving BWI and Baltimore are of purely academic interest insofar as this application is concerned.

Dulles Airport to Downtown	\$15.50
BWI to Downtown	20.00 <u>2/</u>
BWI to National Airport	20.00 <u>2/</u>
BWI to Dulles Airport	29.50 <u>2/</u>
Dulles Airport to Baltimore	35.00 <u>2/</u>
BWI to Baltimore	10.00 <u>2/</u>
National Airport to Baltimore	27.50 <u>2/</u>

- B. Waiting time for the first 30 minutes will be at no additional charge. Thereafter, the waiting charge shall be \$3 per 15 minutes, with a maximum 60-minute initial waiting period. CAM must obtain United's crew scheduler's approval to wait more than 60 minutes.

Title II, Article XII, Section 4(b) of the Compact provides that a certificate of public convenience and necessity may be issued if, after hearing held upon reasonable notice, the Commission finds that the applicant is fit, willing and able to perform the transportation properly and to conform to the provisions of the Compact and the rules, regulations, and requirements of the Commission thereunder, and that the transportation is or will be required by the public convenience and necessity; otherwise, such application shall be denied. Accordingly, the Commission shall set this matter for a public hearing. CAM will be assessed an amount preliminarily estimated to cover the expenses which Title II, Article XII, Section 19 of the Compact require an applicant to bear.

THEREFORE, IT IS ORDERED:

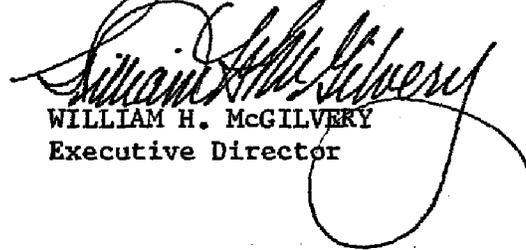
1. That Case No. AP-78-53 is hereby scheduled for public hearing to commence Wednesday, January 24, 1979, at 1:30 p.m. in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.
2. That applicant is hereby directed to publish once, in a newspaper of general circulation in the Metropolitan District, notice of said application and hearing in the form prescribed by the staff of the Commission no later than Monday, December 18, 1978.
3. That applicant is hereby directed to post notice of said application and hearing in the form prescribed by the staff of the Commission, conspicuously and continuously through the date of the public hearing, no later than Monday, December 18, 1978.
4. That applicant is directed to produce at the public hearing affidavits of said posting and publishing.

5. That any person desiring to protest said application file a protest pursuant to Commission Rule No. 14, or any person desiring to be heard so notify the Commission, in writing, no later than Thursday, January 18, 1979, and serve a copy of said protest or notice upon counsel for applicant, L. C. Major, Jr., Esquire, Major, Sage and King, Suite 400, Overlook Office Building, 6121 Lincolnia Road, Alexandria, Va. 22312.

6. That applicant is hereby directed to file with the Commission six copies of an annual projected revenue and revenue deductions statement for the proposed operation no later than 12 noon, Friday, January 19, 1978, and is further directed to produce the original thereof at the public hearing.

7. That applicant is hereby directed pursuant to Title II, Article XII, Section 19 of the Compact to deliver the sum of \$250 to the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than 12 noon, Friday, January 19, 1978.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director

