

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2054

IN THE MATTER OF:

Served October 30, 1979

Special Application of AIRPORT)
LIMO, INC., for Authorization to)
Perform Charter Operations)
Pursuant to Contract -- Charter)
House Hotel)

Case No. CP-79-01

By Order No. 2038, served September 26, 1979, the Commission denied Airport Limo, Inc.'s, application to serve the Charter House Hotel in accordance with WMATC Special Certificate of Public Convenience and Necessity No. 1, for the reason that the application did not include a copy of an executed contract consisting of a fixed term of not less than 181 days. */ On September 28, 1979, Airport Limo filed an application for reconsideration of that order. Along with the application, Airport Limo included a copy of an amended contract between the parties, entered into on September 1, 1979, for a term of 181 days, cancellable by either party upon 30 days written notice for cause. In its request for reconsideration, applicant states that it was under the impression that a copy of the amended contract had previously been forwarded to the Commission.

The Commission shall grant reconsideration of Order No. 2038, replacing the original contractual agreement between the parties with the modified contract submitted September 28, 1979. The amendment to the initial application for authority, extending the duration of the contract to a minimum of 181 days, brings the application within the requirements of Regulation No. 70, which adopted the special certificate procedure.

The proposed service calls for the transportation of Charter House Hotel employees between the hotel, located in Alexandria, Va.,

*/ Commission Regulation No. 70.

on the one hand, and, on the other, points in the District of Columbia. The tariff, which includes the amended bilateral contract, specifies that the hotel will submit a schedule on a monthly basis to applicant and that each vehicle trip will cost the hotel \$7.50.

Airport Limo's balance sheet as of April 30, 1979, shows negative current assets of \$5,500, total assets of \$4,907, current liabilities of \$122,868, and net negative equity of \$117,961. The company's operating statement for the 10-month period ending April 30, 1979, shows operating revenues of \$163,009, expenses of \$155,200, and profit (before income tax) of \$7,809. For the proposed service, applicant projects revenue of \$5,460 and expenses of \$5,050 for a one-year period, yielding a profit (before income tax) of \$410 and an operating ratio of 92.5.

Airport Limo states that the proposed service for Charter House will enable it to generate increased revenue without increasing its fixed overhead. Vehicles now operating intrastate in the Commonwealth of Virginia will be used to serve Charter House.

A notarized letter from the general manager of Charter House was submitted as part of the application. The general manager states that the service will serve hotel employees requiring transportation from the District of Columbia to the hotel's suburban location. She further states that the hotel has investigated Airport Limo and is satisfied with the carrier's qualifications and its ability to meet transportation needs.

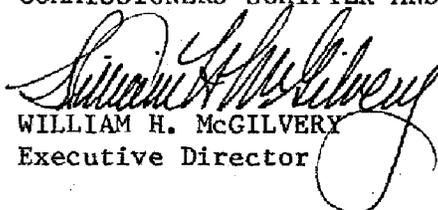
Pursuant to Commission Regulation No. 70-06, notice of this application must be published and an opportunity will be granted for the filing of protests. Protests, if any, must be written, sworn, and notarized, and must contain all evidence and argument upon which the protestant would rely.

THEREFORE, IT IS ORDERED:

1. That the application of Airport Limo, Inc., for reconsideration of Order No. 2038, served September 26, 1979, is hereby granted.
2. That Airport Limo, Inc., publish once, in a newspaper of general circulation in the Metropolitan District, notice of this application in the form prescribed by the staff of the Commission no later than Thursday, November 8, 1979.
3. That applicant shall file an affidavit of such publication with the Commission no later than Monday, November 19, 1979.

4. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than Monday, November 19, 1979, and shall simultaneously serve a copy of such protest on counsel for applicant, Lawrence D. Levien, Esquire, Akin, Gump, Hauer & Feld, 1333 New Hampshire Avenue, N. W., Suite 400, Washington, D. C. 20036.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS SCHIFTER AND SHANNON:


WILLIAM H. MCGILVERY
Executive Director