

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2163

IN THE MATTER OF:

Served November 6, 1980

Application of CALL-A-MESSENGER, )  
INC., for Authorization to Perform )  
Charter Operations Pursuant to )  
Contract with Trans World Airlines, )  
Inc. )

Case No. CP-80-06

By application filed October 9, 1980, Call-A-Messenger, Inc. (CAM), seeks authority to conduct charter operations under contract with Trans World Airlines, Inc. (TWA), pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 and Commission Regulation No. 70. The application proposes the transportation of TWA flight deck crews as follows:

- (1) Between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, points in the District of Columbia,
- (2) Between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., via a route traversing the District of Columbia, and
- (3) Between Andrews Air Force Base, Md., on the one hand, and, on the other, Washington National Airport, Dulles International Airport, and Washington, D. C.

Order No. 2152, served October 16, 1980, generally described the evidence submitted with the application and that order is incorporated by reference herein. The Commission directed publication of notice of the application and provided for the filing of protests, if any. Notice of the application was duly published October 21, 1980, and no protests were received by the Commission. Although the application delineated service ". . . between the points in and around cities served by the airport . . ." the contract tends to limit service

only to airports and hotels. The Commission took notice of the proposed rate structure, particularly the five-percent reduction extended on a one-year basis on all scheduled rates.

Commission Regulation No. 70 provides that the application will be granted if it is determined that the applicant is fit, willing and able properly to perform the proposed service and to conform to the provisions of the Compact and the rules, regulations and orders of the Commission thereunder, and if it is determined that the proposed operations conform to the provisions of Regulation No. 70. The issue of whether the public convenience and necessity require such service has been determined in Case No. MP-79-04. See Order No. 2004, served June 20, 1979.

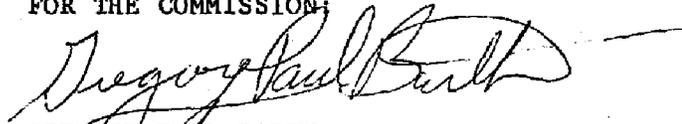
Inasmuch as the contract is for a fixed term of at least 181 days and provides for the transportation of employees pursuant to a contract with their employer, the Commission finds that this application conforms to the requirements of Commission Regulation No. 70. It is further found, based on the evidence of record as described in Order No. 2152, that applicant is fit, willing and able properly to provide the service described below, and to conform to the requirements of the Compact and the rules, regulations and orders of the Commission thereunder.

The issuance of authority will be limited to service between the airports, and between each airport and hotels located in the District of Columbia rather than points in the District of Columbia in accordance with the intent of the contract.

Actual issuance of a special authorization for this service will be conditioned upon the prior filing by applicant of a revised WMATC Tariff No. 7 and a Supplement No. 1 to WMATC Tariff No. 5 eliminating the discount provisions that, if implemented, would require applicant to operate service for TWA at a loss.

IT IS SO ORDERED.

FOR THE COMMISSION:

  
GREGORY PAUL BARTH  
Acting Executive Director