

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2579

IN THE MATTER OF:

Served July 13, 1984

Application of BROWN'S LIMOUSINE)
CREW CAR, INC., for Special)
Certificate of Public Convenience)
and Necessity No. 1 to Conduct)
Charter Operations Pursuant to)
Contract with American Airlines,)
Inc.)

Case No. CP-84-04

By application filed July 11, 1984, Brown's Limousine Crew Car, Inc. ("Brown's Limousine" or "applicant"), seeks authority to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under contract with American Airlines, Inc. ("American"), transporting cockpit and flight attendant crews employed by American, over irregular routes, between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, lodging accommodations for such employees within the Metropolitan District and between Dulles International Airport, Herndon, Va., on the one hand, and, on the other, Washington International Airport, Gravelly Point, Va. 1/

By its terms, the contract extends from August 1, 1984, to July 31, 1986, unless terminated by either party upon 90 days' advance written notice. Service between the Washington airports and specific local hotels will be arranged monthly to coincide with American's flight schedules. Service is available to other points as needed. The rate for applicant's service is \$15 per hour except where otherwise specified. The contract requires applicant to commit a minimum of five vans having a manufacturer's designed seating capacity of 12 persons each, including the driver, with additional vehicles provided as necessary to satisfy all of American's transportation requirements. Applicant has four new vehicles to be used in this service. Applicant states that these vehicles are being fitted with safety equipment in

1/ To the extent that this application proposes transportation between points located solely within the Commonwealth of Virginia or to points located outside the Metropolitan District, it is hereby dismissed for lack of jurisdiction.

Texas and will be transported to Virginia for licensing, inspection and approval on or before July 15, 1984. Brown's Limo indicates that it owns sufficient equipment to dedicate a fifth vehicle to the proposed service and to supply such additional equipment as may be necessary.

Applicant is experienced in providing employee shuttle transportation. Its president certifies the applicant is familiar with the Commission's rules and regulations and will comply therewith, that applicant has not been found unfit by any regulatory agency, and that it is not under any fitness investigation.

Applicant's balance sheet for the year ending April 30, 1984, shows current assets of \$973,378, fixed and other assets of \$1,004,710, current liabilities of \$973,825, long-term and other liabilities of \$569,914 and equity of \$434,349. Brown's Limo projects annualized revenue of \$126,189 and expenses of \$117,265 or a net operating income of \$8,924 and an operating ratio approaching 93 percent.

American's manager, M. T. Downing, submitted an affidavit in support of the application stating that American requires ground transportation for members of its flight deck crews and flight attendants between the Washington Metropolitan Airports, on the one hand, and, on the other, hotels in which the employees are accommodated. Mr. Downing estimates that approximately 105 employees daily will require such transportation. The affidavit further attests that American has investigated applicant's qualifications and is satisfied that it is capable to perform the proposed service properly.

Inasmuch as a contract has been executed for the transportation of employees pursuant to contract with an employer between points within the Metropolitan District for a period in excess of 181 days, the application appears amenable to processing under Commission Regulation No. 70. ^{2/} Consequently, notice of this application must be published and opportunity given 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 Brown's Limousine Crew Car, 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 Tuesday, July 17, 1984.

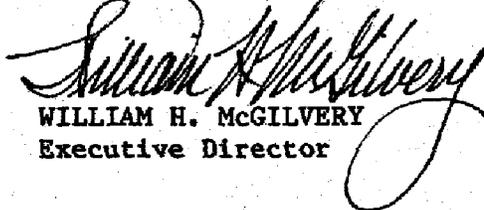
^{2/} See Order No. 2004, served June 20, 1979.

2. That applicant shall file an affidavit of such publication with the Commission no later than Tuesday, July 24, 1984.

3. That applicant shall file with the Commission no later than Thursday, July 26, 1984, proof of registration of five vehicles as described in the contract within the Commonwealth of Virginia and a certificate of insurance consistent with Commission Regulation No. 62.

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 Friday, July 27, 1984, and shall simultaneously serve a copy of such protest on counsel for applicant, Everett Hutchinson, Esquire, Fulbright and Jaworski, 1150 Connecticut Avenue, N.W., Washington, D.C. 20036.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director

