

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2740

IN THE MATTER OF:

Served July 29, 1985

Application of DIAMOND TRANSPOR- )  
TATION SERVICES, INC., for Special )  
Authorization to Conduct Charter )  
Operations Pursuant to Contract )  
with Western Airlines )

Case No. CP-85-05

By application filed July 25, 1985, Diamond Transportation Services, Inc., ("DTS" or "applicant"), seeks authority pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 to transport flight crews and flight attendants of Western Airlines, together with their luggage, in charter operation pursuant to contract with Western Airlines between Washington National Airport and Washington Dulles International Airport, on the one hand, and, on the other, the Capitol Holiday Inn at 550 C Street, S.W., Washington, D.C.

The contract expires June 3, 1986, and provides for daily scheduled service between the hotel and the airports. The service will be provided in a leased 1979 eight-passenger van; the application includes the lease and an appropriate certificate of insurance covering the van.

On behalf of DTS its president states that applicant is Virginia corporation and a subsidiary of Alexandria Diamond Cab Company, Inc. ("ADC"), and that applicant's staff is experienced in the passenger transportation business. He further states that he is familiar with the terms of the Compact and the Commission's rules, regulations, and requirements and will comply therewith, and that applicant has never been the subject of any fitness proceedings.

Applicant has provided financial statements for its parent ADC. Its balance sheet as of December 31, 1985, shows current assets of \$76,142 plus fixed assets of \$187,540 and other assets of \$136,750. In addition, it shows current liabilities of \$136,091, long-term debt of \$219,890, and stockholders' equity of \$44,451. Its income statement for calendar 1984 indicates net income of \$66,685 on gross revenues of \$254,130. With regard to the proposed service, applicant projects revenues of \$43,680 and expenses of \$39,312, resulting in profit of \$4,368 before taxes and depreciation.

Western Airlines submitted a notarized statement in support of the application indicating that Western has been using DTS to provide intra-Virginia 1/ services for its crews and flight attendants between the airports and a hotel in Arlington, but that Western now finds it beneficial to provided overnight lodging at the Capitol Holiday Inn. Western has investigated and is satisfied with applicant's qualifications and ability property to perform the service.

Inasmuch as a contract has been executed for the transportation of employees pursuant to contract with their 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 Diamond Transportation Services, 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 Friday, August 2, 1985.

2. That applicant shall file an affidavit of such publication with the Commission no later than Friday, August 9, 1985.

3. 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, August 12, 1985, and shall simultaneously serve a copy of such protest on Mr. Robert M. Werth, President, Diamond Transportation Services, Inc., 3025 Mt. Vernon Avenue, Alexandria, VA 22305.

FOR THE COMMISSION:

  
WILLIAM H. MCGILVERY  
Executive Director

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1/ Such service is exempt from WMATC jurisdiction. See Compact, Title II, Article XII, Section 1(b).

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