

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2747

IN THE MATTER OF:

Served August 9, 1985

Application of V.I.P. TOURS for )  
Temporary Authority to Conduct )  
Special Operations -- Days Inn- )  
Capital Centre )

Case No. AP-85-23

By application filed July 11, 1985, V.I.P. Tours ("V.I.P." or "applicant") seeks temporary authority to transport passengers, together with mail, express, and baggage in the same vehicle with passengers, in special operations from Days Inn-Capital Centre to Mount Vernon and Arlington National Cemetery, Va., 1/ and points in the District of Columbia, 2/ and return, restricted to round-trip lectured sightseeing tours and further restricted to transportation of passengers in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver).

Notice of this application was published by Order No. 2735, served July 17, 1985, and incorporated herein by reference. No protests were filed within the time set therefor. The evidence submitted with V.I.P.'s application as described in Order No. 2735 indicates that applicant desires to extend the service it is currently authorized to perform by Certificate No. 85 to persons staying at Days Inn-Capital Centre for a surcharge of approximately three dollars

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1/ To the extent that this application could be interpreted to seek authority to transport passengers between points solely within Virginia, it was dismissed for want of jurisdiction by Order No. 2735, served July 17, 1985.

2/ For purposes of this application, "points in the District of Columbia" shall be interpreted as points within the geographic boundary which circumscribes V.I.P.'s current authority. The area delineated by Certificate No. 85 contains the principle tourist attractions in Washington. Such an interpretation is consistent with the evidence which indicates that V.I.P. intends by this application to extend its current service to Days Inn-Capital Centre.

(\$3.00) in addition to the rate for a similar tour as currently contained in applicant's WMATC Tariff No. 1 3/. The service would be available on a call and demand basis and would be provided using applicant's existing fleet of three 15-passenger vans.

V.I.P.'s application is supported by Constance Crayton, general manager of Days Inn-Capital Centre. Ms. Crayton attests that the hotel requires transportation for between five and 20 persons a day. The required transportation includes service which would enable guests (1) to leave the hotel after 7:25 a.m. and to return there prior to 7:00 p.m. when Days Inn's sole scheduled transportation is available, and (2) to take half-day and evening tours.

Applications for temporary authority are governed by Title II, Article XII, Section 4(d) 3 of the Compact. After reviewing the evidence in this case, as described above and in Order No. 2735, we find that applicant has met the burden of proof requisite to obtaining a grant of temporary authority. Ms. Crayton's supporting statement indicates that persons staying at Days Inn lack transportation during the times and of the type that applicant proposes to offer. No other carrier, including the carrier which currently provides round-trip sightseeing service to the hotel once a day, has come forward to indicate its ability and willingness to provide service similar to that for which applicant here seeks authority. Thus, V.I.P. being a fit carrier as indicated by its existing capacity to provide service, its current financial status, and its proven ability and willingness to comply with the Compact and the Commission's rules and regulations, the application shall be granted.

THEREFORE, IT IS ORDERED:

1. That V.I.P. Tours is hereby granted temporary authority to transport passengers, together with mail, express, and baggage in special operations from Days Inn-Capital Centre, Capitol Heights, Md., to Mount Vernon, Va., Arlington National Cemetery, Va., and points in that part of the District of Columbia south of a line beginning at the junction of Constitution Avenue, N.W., and Rock Creek Parkway, N.W., thence along Constitution Avenue, N.W., to 17th Street, N.W., thence along 17th Street, N.W., to Pennsylvania Avenue, N.W., thence along Pennsylvania Avenue, N.W., to 10th Street, N.W., thence along 10th Street, N.W., to F Street, N.W., thence along F Street, N.W., to

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3/ The proposed tariff which V.I.P. submitted with its application fails to specifically identify either the content of its building and combination tours or the method and application of its discounted rates. Applicant will be asked to clarify both of these tariff matters.

9th Street, N.W., thence along 9th Street, N.W., to Pennsylvania Avenue, N.W., thence along Pennsylvania Avenue, N.W., to Constitution Avenue, N.W., thence along Constitution Avenue to its junction with 2nd Street, N.E., restricted to lectured, round-trip sightseeing tours, originating and terminating at the Days Inn - Capital Centre and further restricted to the transportation of passengers in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver).

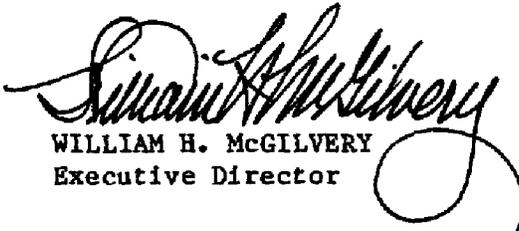
2. That V.I.P. Tours is hereby directed within 15 days of the date of service of this order to file two copies of Supplement No. 1 to its WMATC Tariff No. 1 as discussed in the body of the order.

3. That, upon compliance with the requirements of the preceding paragraph within the time set therefor or such additional time as the Commission may authorize by order, the Executive Director shall notify applicant, in writing, that it may commence operations pursuant to temporary authority, whereupon the grant of temporary authority herein ordered shall become effective.

4. That, upon becoming effective in accordance with the preceding paragraph, such temporary authority shall remain in effect for 180 days unless otherwise ordered by the Commission.

5. That should V.I.P. Tours desire to continue the service, for which temporary authority is herein granted beyond 180 days, an application to amend its certificate of public convenience and necessity shall be filed within 30 days of the service date of this order to permit adequate time for orderly processing.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:

  
WILLIAM H. MCGILVERY  
Executive Director

