

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2886

IN THE MATTER OF:

Served July 18, 1986

Application of EUGENE H. GEORGE )  
T/A SILVER STAR SIGHTSEEING TOURS )  
for Temporary Authority to Conduct )  
Special Operations, Econo Lodge and )  
Comfort Inn, Arlington, Va. )

Case No. AP-86-23

By application filed June 13, 1986, and completed on June 19, 1986, Eugene H. George trading as Silver Star Sightseeing Tours ("Silver Star" or "applicant") seeks temporary authority to transport passengers together with mail, express, and baggage in the same vehicles with passengers, in special operations from the Econo Lodge, 6800 Lee Highway, Arlington, Va., and the Comfort Inn, 1211 North Glebe Road, Arlington, Va., to points in the District of Columbia and Arlington County, Va., and return, restricted to round-trip sightseeing service in vehicles with a manufacturer's designed seating capacity of 15 persons or less and further restricted against transportation solely between points in the Commonwealth of Virginia.

Notice of the application was published by Order No. 2872, served June 20, 1986, and incorporated herein by reference. No carrier responded within the period established therefor.

Applicant currently holds Certificate No. 108 which authorizes the following transportation:

IRREGULAR ROUTES:

SPECIAL OPERATIONS, transporting passengers and their baggage in the same vehicles with passengers, in round-trip sightseeing service, from Econo-Travel Motor Hotel, 3335 Lee Highway, Arlington, Va.; Quality Inn-Governor Motel, 6650 Arlington Boulevard, Fairfax County, Va.; Econo Lodge, 421 West Broad Street, Falls Church, Va.; Stratford Motor Lodge, 300 West Broad Street, Falls Church, Va.; Travelodge Seven Corners, 6111 Arlington Boulevard, Fairfax County, Va.; and Best Western Falls Church Inn, 6633 Arlington Boulevard, Fairfax County, Va.; to points in the District of Columbia and Arlington County, Va.; and return.

RESTRICTED to service in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver) and further restricted against transportation solely between points in the Commonwealth of Virginia.

Applicant submitted a proposed tariff for a five-hour sightseeing tour which indicates an adult fare of \$20 and a reduced fare of \$10 for children under the age of ten, when accompanied by a parent. The tour would include stops at the United States Capitol, the White House, the Museum of American History, the National Air and Space Museum, the Lincoln Memorial, the Viet Nam Memorial and a riding tour of other points of interest, with substitutions made as necessary. Applicant's proposed sightseeing tour and rates are identical to those being offered under his current WMATC operating authority.

Applicant would utilize a 1979 ten-passenger van and, if demand warrants, a seven-passenger limousine in his proposed operations. In response to Order No. 2872, applicant stated that the seven-passenger limousine is not currently being used by Silver Star and, if applicant's service dictates the need for additional equipment, applicant will secure proper insurance prior to transporting passengers for hire in that vehicle. Of course, a certificate of insurance would have to be filed with and approved by the Commission.

The application is supported by three notarized letters. Mr. Ed McCamley, proprietor of the White Dove Gift Shop located in the Comfort Inn, is responsible for arranging guest transportation as part of his lease agreement with the Inn. According to his letter of support, Mr. McCamley receives frequent requests from hotel guests for transportation services into and around the District of Columbia. He is unable to accommodate these requests because no carrier currently provides sightseeing service to the Comfort Inn; nor has any carrier other than applicant proposed such service. If this application is approved, at least two to three people would use applicant's service on a daily basis. In a notarized letter dated June 3, 1986, Mr. Michael Weiner concurred in Mr. McCamley's support of the application and his belief that applicant's proposed service would benefit hotel guests. Mr. Weiner is responsible for the daily operation of the Inn.

A notarized letter dated May 19, 1986, was also submitted by the desk manager of the Econo Lodge, Ms. Barbara Becker. Ms. Becker stated that she receives frequent requests from guests for District of Columbia sightseeing services but is unable to meet the needs of hotel patrons because no carrier currently provides such services to the Econo Lodge. Ms. Becker addressed the issue of immediate and urgent need by indicating that the hotel's need for the service is particularly acute because of the advent of the tourist season. Ms. Becker estimates that 10-15 persons a week during off-season and 20-30 persons a week during peak season will use the proposed service.

The standards for temporary authority are set forth in the Compact at Title II, Article XII, Section 4(d)(3), as follows:

To enable the provision of service for which there is an immediate and urgent need to a point or points or within a territory having no carrier service capable of meeting such need, the Commission may, in its discretion and without hearings or other proceedings grant temporary authority for such service.

After reviewing the evidence in this case, we find that applicant has met the burden of proof required in obtaining a grant of temporary authority. No other carrier has evidenced capability and willingness to provide such service despite notice of this application. Moreover, the proposed service is operationally consistent with applicant's current service and is projected to improve Silver Star's financial position.

The notarized letters adequately support applicant's claim of immediate and urgent need. The hotels to be served currently lack service of the type applicant proposes. Representatives from both the Comfort Inn and the Econo Lodge stated that no carrier currently provides sightseeing service to the establishments. Both hotels indicated need for the proposed service is particularly acute now during the busy summer tourist season.

THEREFORE, IT IS ORDERED:

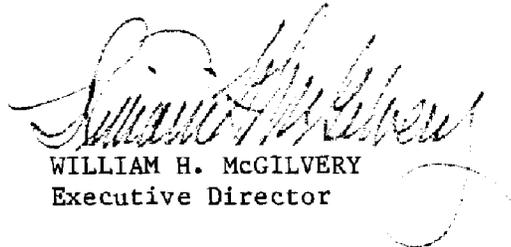
1. That Eugene H. George trading as Silver Star Sightseeing Tours is hereby granted temporary authority to transport passengers together with mail, express and baggage in the same vehicles with passengers, in special operations from the Econo Lodge, 6800 Lee Highway, Arlington, Va., and the Comfort Inn, 1211 North Glebe Road, Arlington, Va., to points in the District of Columbia and Arlington County, Va., and return, restricted to round-trip sightseeing service in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver) and further restricted against transportation solely between points in the Commonwealth of Virginia.

2. That such temporary authority shall become effective upon issuance of this order and shall remain in effect through January 13, 1987, unless otherwise ordered by the Commission.

3. That, should Eugene H. George trading as Silver Star Sightseeing Tours desire to continue service beyond the period of

temporary authority, an application for a certificate of public convenience and necessity shall be filed within thirty 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