

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3280

IN THE MATTER OF:

Served January 24, 1989

Application of CALL-A-MESSENGER,)
INC., to Transfer Operating)
Authority to AIR COURIERS)
INTERNATIONAL GROUND TRANSPORTATION))
SERVICES, INC., Trading as)
PASSENGER EXPRESS)

Case No. AP-88-66

By application filed December 30, 1988, Call-A-Messenger, Inc. (Transferor), seeks to have its operating authority transferred to Air Couriers International Ground Transportation Services, Inc., trading as Passenger Express (Transferee). Transferor holds WMATC Special Authorization Nos. SP-55-01, SP-55-02, SP-55-03, SP-55-05, SP-55-06, and SP-55-08 which are attached as appendices to this order. Transferee holds SP-55-09, attached as an appendix to this order.

Taking official notice of the record in Case No. CP-88-02, which led to the issuance of Transferee's Special Authorization No. SP-55-09, it is noted that Transferor, an Arizona corporation, amended its articles of incorporation on June 5, 1984, changing its name to that of Transferee. This change of name is discussed in Order No. 3128, served March 2, 1988. A copy of the amendment is on file in Case No. CP-88-02. Accordingly, it is clear that Transferor and Transferee are the same legal entity. For this reason, we find no conflict with that portion of Regulation 70-09 that provides that such Special Authorizations are "not transferable by sale or otherwise."

The Commission has on file certificates of insurance for the year ended January 1, 1989, issued in the names of both Transferee and Transferor. However, when the insurance was renewed, a certificate of insurance was issued only in the name of Transferee. It is, of course, essential that operating authority and insurance be in the same name.

Transferee's Special Authorizations were issued pursuant to Regulation No. 70 shortly after that regulation became effective. They are not in consonance with Regulation 70-05, which provides, in part: "All contracts and extensions and renewals of contracts filed pursuant to this regulation shall be for fixed terms" Transferee's authorizations were incorrectly issued to be effective "until cancelled." We will take this opportunity to correct these defects.

We will authorize Transferee to continue, for a period of 60 days following the date this order is issued, such operations as are being conducted pursuant to Special Authorizations issued to Transferor. During that 60 days Transferee will be required to file

with the Commission an original and four copies each of (1) a current agreement between transferee and each contractor named in Transferor's Special Authorizations, which agreement shall meet all requirements of Regulation No. 70, and (2) a current tariff and cover page for each such agreement.

A revised Special Authorization will be issued in the name of Transferee for each of Transferor's Special Authorizations for which Transferee timely files the required documentation. Any of Transferor's Special Authorizations for which Transferee fails timely to file the required documentation will be deemed void and cancelled upon expiration of the 60 days compliance time. No extensions will be granted.

IT IS SO ORDERED.

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


William H. McGilvery
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

AUTHORIZATION NO. SP-55-01
TO OPERATE PURSUANT TO
SPECIAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1

CALL-A-MESSENGER, INC.

PHOENIX, ARIZONA

BE IT KNOWN, that pursuant to Special Certificate of Public Convenience and Necessity No. 1 issued by the Washington Metropolitan Area Transit Commission by Order No. 2004, served June 20, 1979, and effective July 23, 1979, and pursuant to Commission Regulation No. 70, approving the issuance of this authorization, the above-named carrier may engage in the transportation of passengers, in charter operations pursuant to contract, between points in the Metropolitan District, as follows:

CHARTER OPERATIONS PURSUANT TO CONTRACT to transport passengers and their baggage, in the same vehicle with passengers, (1) between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, hotels and motels in the Metropolitan District, restricted against transportation solely within the Commonwealth of Virginia, and (2) between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., via a route traversing the District of Columbia.

RESTRICTED in (1) and (2) above to the transportation of United Airlines flight officers and/or flight attendants only.

This authorization is valid until cancelled.

FOR THE COMMISSION:

WILLIAM H. MCGILVERY
Executive Director

Appendix No. 2
Order No. 3280

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

AUTHORIZATION NO. SP-55-02
TO OPERATE PURSUANT TO
SPECIAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1

CALL-A-MESSENGER, INC.

PHOENIX, ARIZONA

BE IT KNOWN, that pursuant to Special Certificate of Public Convenience and Necessity No. 1 issued by the Washington Metropolitan Area Transit Commission by Order No. 2004, served June 20, 1979, and effective July 23, 1979, and pursuant to Commission Regulation No. 70 and Order No. 2056, served October 31, 1979, approving the issuance of this authorization, the above-named carrier may engage in the transportation of passengers, in charter operations pursuant to contract, between points in the Metropolitan District, as follows:

CHARTER OPERATIONS PURSUANT TO CONTRACT to transport passengers and their baggage, in the same vehicle with passengers, (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, and (2) between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., via a route traversing the District of Columbia.

RESTRICTED in (1) and (2) above to the transportation of flight officers and attendants employed by Pan American World Airways, Inc., only.

This authorization is valid until cancelled.

FOR THE COMMISSION:

WILLIAM H. MCGILVERY
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

AUTHORIZATION NO. SP-55-03
TO OPERATE PURSUANT TO
SPECIAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1

CALL-A-MESSENGER, INC.

PHOENIX, ARIZONA

BE IT KNOWN, that pursuant to Special Certificate of Public Convenience and Necessity No. 1 issued by the Washington Metropolitan Area Transit Commission by Order No. 2004, served June 20, 1979, and effective July 23, 1979, and pursuant to Order No. 2132, served August 1, 1980, approving the issuance of this authorization, the above-named carrier may engage in the transportation of passengers, in charter operations pursuant to contract, between points in the Metropolitan District, as follows:

CHARTER OPERATIONS PURSUANT TO CONTRACT to transport passengers and their baggage, in the same vehicle with passengers, (1) between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, Andrews Air Force Base, Md., and points in Washington, D. C., and (2) between Dulles International Airport, and Washington National Airport, via a route traversing Washington, D. C.

RESTRICTED in (1) and (2) above to the transportation of flight attendants employed by Trans World Airlines, only.

This authorization is valid until cancelled.

FOR THE COMMISSION:

WILLIAM H. MCGILVERY
Executive Director

Appendix No. 4
Order No. 3280

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

AUTHORIZATION NO. SP-55-05
TO OPERATE PURSUANT TO
SPECIAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1

CALL-A-MESSENGER, INC.

PHOENIX, ARIZONA

BE IT KNOWN, that pursuant to Special Certificate of Public Convenience and Necessity No. 1 issued by the Washington Metropolitan Area Transit Commission by Order No. 2004, served June 20, 1979, and effective July 23, 1979, and pursuant to Order No. 2163, served November 6, 1980, approving the issuance of this authorization, the above-named carrier may engage in the transportation of passengers, in charter operations pursuant to contract, between points in the Metropolitan District, as follows:

CHARTER OPERATIONS PURSUANT TO CONTRACT with Trans World Airlines, Inc., to transport TWA flight deck crews over irregular routes (1) between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va. on the one hand, and, on the other, hotels located in the District of Columbia, (2) between Dulles International Airport and Washington National Airport, 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 hotels located in the District of Columbia.

This authorization is valid until cancelled.

FOR THE COMMISSION:

WILLIAM H. MCGILVERY
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

AUTHORIZATION NO. SP-55-06
TO OPERATE PURSUANT TO
SPECIAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1

CALL-A-MESSENGER, INC.

PHOENIX, ARIZONA

BE IT KNOWN, that pursuant to Special Certificate of Public Convenience and Necessity No. 1 issued by the Washington Metropolitan Area Transit Commission by Order No. 2004, served June 20, 1979, and effective July 23, 1979, and pursuant to Order No. 2164, served November 7, 1980, approving the issuance of this authorization, and a notice of automatic contract extension filed October 13, 1981 and September 23, 1982 and November 15, 1982, the above-named carrier may engage in the transportation of passengers, in charter operations pursuant to contract, between points in the Metropolitan District, as follows:

CHARTER OPERATIONS PURSUANT TO CONTRACT with American Airlines, Inc., to transport American Airlines flight attendants and flight deck crews over irregular routes (1) between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va. on the one hand, and, on the other, hotels located in the District of Columbia, (2) between Dulles International Airport and Washington National Airport, 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 hotels located in the District of Columbia.

This authorization is valid until cancelled.

FOR THE COMMISSION:

WILLIAM H. MCGILVERY
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

AUTHORIZATION NO. SP-55-08
TO OPERATE PURSUANT TO
SPECIAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1

CALL-A-MESSENGER, INC.

PHOENIX, ARIZONA

BE IT KNOWN, that pursuant to Special Certificate of Public Convenience and Necessity No. 1 issued by the Washington Metropolitan Area Transit Commission by Order No. 2004, served June 20, 1979, and effective July 23, 1979, and pursuant to Order No. 2291, served December 9, 1981, approving the issuance of this authorization, the above-named carrier may engage in the transportation of passengers, in charter operations pursuant to contract, between points in the Metropolitan District, as follows:

CHARTER OPERATIONS PURSUANT TO CONTRACT with British Airways to transport British Airways' flight attendants and 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 Washington, D. C.,
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, Gravelly Point, Va.; Dulles International Airport, Herndon, Va.; and Washington, D. C.

This authorization is valid until cancelled.

FOR THE COMMISSION:

GREGORY PAUL BARTH
Acting Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

AUTHORIZATION NO. SP-55-09
TO OPERATE PURSUANT TO
SPECIAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1

AIR COURIERS INTERNATIONAL GROUND TRANSPORTATION SERVICES, INC.

trading as PASSENGER EXPRESS

PHOENIX, ARIZONA

BE IT KNOWN, that pursuant to Special Certificate of Public Convenience and Necessity No. 1 issued by the Washington Metropolitan Area Transit Commission by Order No. 2004, served June 20, 1979, and effective July 23, 1979, and pursuant to Order No. 3138, served March 24, 1988, approving the issuance of this authorization, the above-named carrier may engage in the transportation of passengers, over irregular routes, between points in the Metropolitan District, as follows:

CHARTER OPERATIONS PURSUANT TO CONTRACT with the United States Department of Health and Human Services, National Institutes of Health ("NIH"), transporting persons traveling on official government business (1) between NIH facilities in Bethesda, Md., on the one hand, and, on the other, Washington National Airport, and (2) between NIH facilities in Bethesda, Md., on the one hand, and, on the other, points in that part of the Metropolitan District located within 36 miles of Bethesda, Md.

This authorization expires March 31, 1989.

FOR THE COMMISSION:

William H. McGilvery
Executive Director