

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1288

IN THE MATTER OF:

Application of Executive Limou-)
sine Service, Inc., for Tempor-)
ary Authority to Operate Between)
Dulles International Airport and)
Washington, D. C.)

Served: December 5, 1973

Application No. 804

Docket No. 255

On November 29, 1973, Greyhound Airport Service, Inc. (Greyhound), ^{1/} a party to the above-entitled proceeding as a result of Order No. 1259, served June 18, 1973, filed a motion for an indefinite postponement of the public hearing scheduled for Tuesday, December 11, 1973, by Order No. 1285, served November 19, 1973. No reply to the motion has been received.

Greyhound submits that it is the only carrier known to possess the requisite Certificate of Public Convenience and Necessity authorizing the provision of certain ground transportation services between the Dulles International Airport (Dulles) and points in the Metropolitan District. Greyhound states that it has a five-year contract with the Federal Aviation Administration (FAA), which expires December 31, 1973, which authorizes it

^{1/} Greyhound is authorized by Certificate of Public Convenience and Necessity No. 7 to perform, among other things, special operations between the Dulles International Airport, on the one hand, and, on the other, points within the Metropolitan District.

to operate a ground transportation service at Dulles. Greyhound submits that the FAA has delayed the effective date of any new permanent agreement relating to ground transportation service at Dulles to July 1, 1974. Also, Greyhound speculates that FAA has agreed to contract on an interim basis with another carrier to perform ground transportation service at Dulles between January 1, 1974, the date Greyhound's service contract expires, and July 1, 1974, the effective date of a new permanent service agreement. Greyhound submits that it is unable to determine at this time the nature and extent of service, if any, which it will be operating at Dulles after January 1, 1974. Therefore, Greyhound requests a postponement of the hearing in the above-entitled proceeding to an indefinite date in the future because it believes that the foregoing facts and circumstances would preclude this Commission from making a fair or proper decision and that the hearing scheduled for December 11, 1973, would be a needless waste of time, money and energy on the part of all parties involved. We disagree.

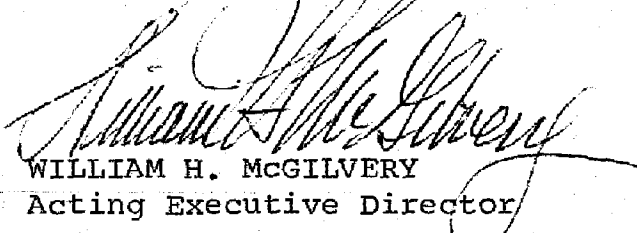
The Commission has been continually involved in proceedings relating to the subject application since its filing on June 8, 1973. Order No. 1285 sets forth a general history of the subject proceeding and indicates that a primary purpose for the hearing is for the development of an adequate record upon which we can properly dispose of the application of Executive Limousine Service, Inc., (Executive) for temporary authority to operate a limousine service for passengers and their baggage between Dulles and the Quality Inn-Capitol Hill with an intermediate stop at L'Enfant Plaza Hotel. The issues in the temporary authority application are not altered by the expiration date of Greyhound's contract with FAA or by FAA's alleged failure to state with whom it might enter into a franchise agreement. The fact that Greyhound at this time is unable to determine its future operations does not justify a postponement of the hearing on Executive's application for temporary authority. Greyhound's motion does not set forth sufficient grounds for granting the relief sought. Accordingly, the motion will be denied.

In Order No. 1270, served July 20, 1973, among other things, we ordered Greyhound to observe the individual fares and the

regulations and practices set forth in its currently effective WMATC Tariff No. 12, and to provide and perform all transportation in the manner stated in the aforesaid tariff including expressly the furnishing of economy airport service between the Burlington Hotel, Washington, D. C., and Dulles in the manner and at the fares established in the tariff. Order No. 1285 indicates the Commission's continued determination to resolve this service issue which was originally raised by this application, and the Commission will require a showing on the part of Greyhound that such service has been provided as ordered pursuant to Compact Article XII, Section 4(g). This is yet another compelling reason for not granting the postponement herein sought by Greyhound.

THEREFORE, IT IS ORDERED that the motion of Greyhound Airport Service, Inc., by counsel, filed November 29, 1973, for postponement of the hearing scheduled by Order No. 1285, be, and it is hereby, denied.

BY THE DIRECTION OF THE COMMISSION:



WILLIAM H. MCGILVERY
Acting Executive Director