

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2601

IN THE MATTER OF:

Served September 5, 1984

Application of THE AIRPORT)
CONNECTION, INC., for Special)
Authorization to Conduct Charter)
Operations Pursuant to Contract)
with Close-Up Foundation)

Case No. CP-84-05

By application filed August 10, 1984, The Airport Connection, Inc., ("TAC" or "applicant") seeks authorization to operate pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under a contract with Close-Up Foundation ("Close-Up") to transport students and teachers, together with their baggage, over irregular routes, between points in the Metropolitan District.

Order No. 2597, served August 15, 1984, generally describes the evidence submitted with the application, and that order is incorporated by reference herein. The Commission required publication of notice and the filing of an affidavit of publication. Applicant complied with these requirements, and no protests to the application were received by the Commission within the time set therefor.

Commission Regulation No. 70 provides that an application of this type will be granted if it is determined that the applicant is fit, willing and able properly to perform the proposed service and to conform to the provisions of the Compact and the rules, regulations and orders of the Commission thereunder, and if it is determined that the proposed operations conform to the provisions of Regulation No. 70. The issue of whether the public convenience and necessity require such service has been determined in Case No. MP-79-04. See Order No. 2004, served June 20, 1979.

Inasmuch as the contract is for a fixed term of at least 181 days and provides for the transportation of students and teachers pursuant to a contract between an accredited private school and a carrier, the Commission finds that this application conforms to the requirements of Commission Regulation No. 70. Applicant proposes to conduct the service for which it here seeks special authorization using vehicles owned by the Federal Aviation Administration ("FAA") and available to TAC by virtue of its contract with FAA for the provision of airport transportation. FAA has approved TAC's use of this equipment through May 30, 1985. TAC has not shown that it has other

buses available. Based on these facts and the evidence of record as described in Order No. 2997, it is further found that applicant is fit, willing and able properly to provide the service described above through May 30, 1985, 1/ and to conform to the requirements of the Compact and the rules, regulations and orders of the Commission thereunder.

Applicant has been assigned WMATC No. 111 2/ and has a current certificate of insurance on file with the Commission. The Airport Connection, Inc., is directed to file two copies of a revised WMATC Tariff No. 3 showing actual dates of issuance and effect. Upon acceptance of those tariffs by the Commission and an affidavit of compliance with Commission Regulation No. 68 governing identification of vehicles, an appropriate authorization will issue.

IT IS SO ORDERED.

FOR THE COMMISSION:


GREGORY PAUL BARTH
Acting Executive Director

1/ Should FAA allow applicant to use its vehicles in fulfillment of the Close-Up Contract beyond May 30, 1985, or if TAC acquires other vehicles, TAC must file an application to amend the authority granted by this order.

2/ See Case Nos. AP-84-17 and AP-84-18, Order No. 2578, served July 13, 1984.