

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2890

IN THE MATTER OF:

Served August 5, 1986

Application of THE AIRPORT)	Case No. CP-86-05
CONNECTION, INC., for Special)	
Authorization to Perform Charter)	
Operations Pursuant to Contract —)	
Close Up Foundation)	

By application filed August 4, 1986, The Airport Connection, Inc., seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under a contract with Close Up Foundation, transporting youth educational groups and their teachers between points in the Metropolitan District.

The contract between applicant and Close Up requires that up to 12 buses be provided between October 11, 1986, and July 31, 1987. The agreement provides for a one-way transfer rate of \$100 for service to or from hotels, motels, airports, and train stations. One such airport is the Baltimore-Washington International Airport, which is beyond the Metropolitan District. In addition, transportation solely within the Commonwealth of Virginia is not within this Commission's jurisdiction. Neither shall be considered a part of this application. Charter service other than one-way transfers as described above would be provided at a charge of \$32.50 an hour, with a four-hour minimum. The contract also contains a fuel-cost increase clause, but any new rates resulting therefrom would, of course, be subject to Commission approval. Similarly, the use of leased equipment requires not only the approval of Close Up but approval of this Commission under Regulation No. 69.

Applicant operates sufficient equipment to meet the contract requirements and has on file with the Commission an appropriate certificate of insurance covering that equipment. Applicant holds WMATC Certificate of Public Convenience and Necessity No. 111, and also holds charter contract authority, other than that sought here, pursuant to Commission Regulation No. 70.

Applicant's vice-president has submitted a notarized statement to the effect, among other things, that applicant has the equipment, facilities, and trained and experienced personnel to handle the proposed operations; that applicant is a certificated carrier familiar with the Commission's requirements; and that applicant can provide the proposed service efficiently and economically.

Close Up's director of operations states that applicant has provided this service for the past two years, and that Close Up has investigated the qualifications of applicant and is satisfied with its ability to perform the proposed services.

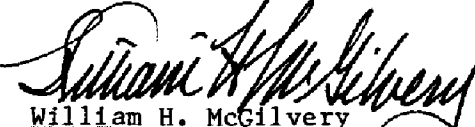
Financial data submitted in support of the application include applicant's 1985 WMATC Annual Report as well as a projection of revenues and expenses attributable to the proposed operation.

Inasmuch as there is a contract for the transportation of students by a school for a period in excess of 181 days, this application appears to be amenable to processing under Commission Regulation No. 70. See Order No. 2004, served June 20, 1979, and effective July 21, 1979. Pursuant to Commission Regulation No. 70-06, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn and notarized, and must contain all evidence and argument upon which the protestant would rely.

THEREFORE, IT IS ORDERED:

1. That The Airport Connection, Inc., publish once, in a newspaper of general circulation in the Metropolitan District, notice of this application in the form prescribed by the staff of the Commission no later than Friday, August 15, 1986.
2. That applicant shall file an affidavit of such publication with the Commission no later than Monday, August 25, 1986.
3. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Washington Metropolitan Area Transit Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006, no later than Monday, August 25, 1986, and shall simultaneously serve a copy of such protest on counsel for applicant, J. W. Glover, Esquire, 1725 K Street, N.W., Suite 308, Washington, D.C. 20006.

FOR THE COMMISSION:


William H. McGilvery
Executive Director