

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 3019

IN THE MATTER OF:

Served May 8, 1987

Application of BROWN'S LIMOUSINE)
CREW CAR, INC., for Special)
Certificate of Public Convenience)
and Necessity No. 1 to Conduct)
Charter Operations Pursuant to)
Contract with American Airlines,)
Inc.)

Case No. CP-87-07

By application filed May 5, 1987, Brown's Limousine Crew Car, Inc. ("Brown's Limousine" or "applicant"), seeks authority to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under contract with American Airlines, Inc. ("American"), transporting cockpit and flight attendant crews employed by American, over irregular routes, between Baltimore Washington International Airport, Anne Arundel County, Md.; Washington Dulles International Airport, Herndon, Va.; and Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, Baltimore Washington International Airport, Anne Arundel County, Md.; Washington Dulles International Airport, Herndon, Va.; Washington National Airport, Gravelly Point, Va.; lodging accommodations; and other points as needed. 1/

By its terms, the contract extends through July 31, 1989. The agreement may be terminated by either party upon 90 days' notice. The contract requires transportation between area airports and pre-selected hotels and other points as needed. Service is to be provided according to a schedule which is revised and modified on a monthly basis to reflect changes in American's schedules. Charges for the service are based upon specific origin and destination. As relevant to this application, Brown's Limousine proposes to charge \$18 per trip per vehicle between the Holiday Inn--Georgetown and Washington National Airport and \$30 per trip per vehicle between the same hotel and Washington Dulles International Airport. These rates are subject to

1/ To the extent that this application proposes transportation solely within the Commonwealth of Virginia, between points outside the Metropolitan District, or between a point within the Metropolitan District and a point outside the Metropolitan District, it is hereby dismissed for lack of jurisdiction pursuant to the Compact, Title I, Article I and Title II, Article XII, Sections 1(a) and (b).

quarterly adjustment based on the U.S. Department of Labor Consumer Price Index. 2/ Applicant would charge \$15 per hour per vehicle for other transportation. By the terms of the contract the applicant will be required to use a minimum of five 12-passenger vans no older than 24 months at time of use and equipped with two-way radios.

Brown's Limousine is experienced in providing employee shuttle transportation having engaged in similar operations under a contract with American Airlines pursuant to Special Certificate of Public Convenience and Necessity No. 1. Applicant's president states that he is familiar with the Compact and Commission rules and regulations and that Brown's Limousine will use its best efforts to comply therewith. Applicant further states that it has not been found unfit by any regulatory agency and is not under any fitness investigation. Applicant's balance sheet dated December 31, 1986, indicates current assets of \$1,355,018, fixed and other assets, after allowance for depreciation, of \$641,091. Current liabilities of \$549,111, long-term liabilities of \$1,176,074, and equity of \$270,924 were also listed. For its first seven months of operations under the contract ending December 1987, applicant projects revenues of \$70,000 and operating expenses of \$60,608.

A letter dated April 27, 1987, submitted by M. T. Downing, contracting representative for American Airlines, indicates that American is in need of ground transportation for over 100 flight deck crew members and flight attendants between Washington area airports, on the one hand, and, on the other, hotels in which the employees are accommodated. American Airlines is familiar with applicant and is satisfied that Brown's is able to perform the proposed service.

Inasmuch as a contract has been executed for the transportation of employees pursuant to a contract with their employer between points within the Metropolitan District for a period in excess of 181 days, the application appears amenable to processing under Commission Regulation No. 70. 3/ Consequently, 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 Brown's Limousine Crew Car, Inc., publish once in a newspaper of general circulation in the Metropolitan District notice of

2/ Any such proposed change must be filed with the Commission for approval at least five days prior to the proposed effective date. See Regulation No. 70-05.

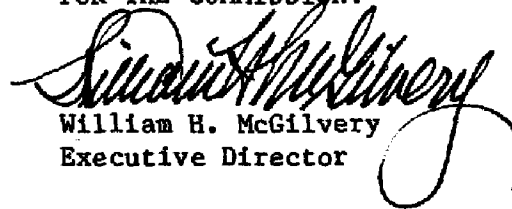
3/ See Order No. 2004, served June 20, 1979.

this application in the form prescribed by the staff of the Commission no later than Friday, May 15, 1987.

2. That applicant shall file an affidavit of such publication with the Commission no later than Tuesday, May 26, 1987.

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 Commission, Suite 316, 1625 I Street, N.W., Washington, D.C. 20006, no later than Tuesday, May 26, 1987, and shall simultaneously serve a copy of such protest on counsel for applicant, James Moriarty, Esquire, Fulbright and Jaworski, 1150 Connecticut Avenue, N.W., Washington, D.C. 20036.

FOR THE COMMISSION:



William H. McGilvery
Executive Director

