

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3405

IN THE MATTER OF:

Served September 14, 1989

Application of EASY TRAVEL, INC.,)
for a Certificate of Public)
Convenience and Necessity --)
Charter and Special Operations)

Case No. AP-89-44

By application filed August 31, 1989, and amended September 5, 1989, Easy Travel, Inc. (Easy Travel or applicant), seeks a certificate of public convenience and necessity to transport passengers in charter and special operations (together with mail, express, and baggage in the same vehicles as passengers) between points in the Metropolitan District. Restricted in special operations to sightseeing tours, and further restricted in charter and special operations to transportation in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver). 1/2/

The proposed operations would be conducted in two 12-passenger vehicles equipped with public address systems and fire extinguishers. Easy Travel proposes to offer two tours: The first tour, "Washington, DC, and Arlington Cemetery," includes visits to the U.S. Capitol, the

1/ This description of the authority sought reflects the staff's interpretation and rephrasing of specific language used in the application. Easy Travel provided the following description of the authority sought:

Charter Operations - within the District of Columbia and outside the District of Columbia within the Metropolitan District within a radius of 30 miles from the Capitol Building.

Special Operations - sightseeing tours originating within the Metropolitan District to Arlington Cemetery, Iwo Jima Memorial, and other points of interest.

If the interpretation presented in the text does not comport with applicant's intention, Easy Travel is directed to so inform the Commission no later than 10 days from the service date of this order.

2/ To the extent this application could be construed to include transportation solely within the Commonwealth of Virginia, it is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

Library of Congress and an observation tour of the Vietnam Veteran's Memorial and Iwo Jima Memorial. It would last approximately four hours, at a charge of \$25 a person. The second tour, "Night Tour," includes an observation tour of illuminated national monuments and a visit to Georgetown. The tour would be approximately three hours, at a cost of \$20 a person. Per capita transfer rates would be \$38 for Washington National Airport, train, and bus station service. Per capita transfers to and from Washington Dulles International Airport would be \$52. Applicant makes reference in its proposed tariff to Baltimore-Washington International Airport (BWI) service. BWI is outside of WMATC jurisdiction and references to it must be deleted from the proposed tariff. Charter services 3/ would be performed at a rate of \$45 an hour with a three-hour minimum. The proposed tariff lists discounted rates for wholesale tour operations. However, the "wholesalers" rate for per capita bookings of one person is greater than rate charged to the public; it is unclear whether this is the intended result. The matter will be explored at hearing. All references to transportation in vehicles with a seating capacity over 15 passengers must be deleted due to the vehicle restriction that was subsequently placed on the authority sought.

Applicant's balance sheet as of August 15, 1989, shows \$10,000 in assets, no liabilities, and \$10,000 equity. Easy Travel submitted a projection of income and expenses for the first 12 months of WMATC operations estimating \$199,560 in WMATC income and \$187,710 in expenses resulting in a net income of \$11,850.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, the application will be scheduled for public hearing to determine if applicant is fit, willing, and able to perform the proposed service properly and to comply with the Compact and the Commission's rules and regulations, and to determine whether the public convenience and necessity require the proposed service. Applicant will be assessed an amount preliminarily estimated to cover the costs of the hearing pursuant to the Compact, Title II, Article XII, Section 19.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-89-44 is hereby scheduled to commence on Thursday, October 19, 1989, at 9:30 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104.

2. That Easy Travel, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District, notice of this application and the hearing thereon in the form prescribed by the staff of the Commission no later than Tuesday, September 19, 1989, and shall present at hearing an affidavit of such publication.

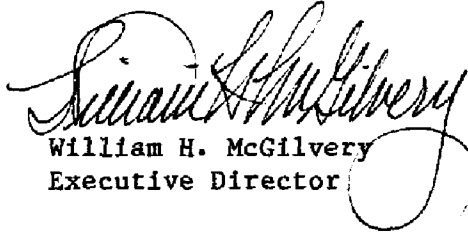
3/ Applicant lists a \$45 rate for "special services." We will assume that the rate is intended for charter movements.

3. That Easy Travel, Inc., is hereby directed to file with the Commission, no later than Tuesday, October 10, 1989, an original and four copies of a revised tariff deleting references (a) to Baltimore-Washington International Airport and (b) to transportation in vehicles that have a manufacturer's designed seating capacity over 15 persons.

4. That any person desiring to protest this application must file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter must notify the Commission, in writing, no later than Tuesday, October 10, 1989, and must simultaneously serve a copy of such protest or notice on applicant's attorney, Judd L. Kessler, Esquire, 1233 - 20th Street, N.W., Washington, DC 20036-2395.

5. That Easy Travel, Inc., is hereby assessed \$450 pursuant to the Compact, Title II, Article XII, Section 19, and is directed to deliver that amount to the office of the Commission no later than Tuesday, October 10, 1989.

FOR THE COMMISSION:


William H. McGilvery
Executive Director

