

Mr. AVERY. Well, I have thought about that question, Mr. Wright, and I would like to express my own personal opinion on it. I cannot bind the Commission, because there are three members of the Commission and our decisions go by majority vote. But my own preliminary thinking on that question is that I find it inconceivable if the Congress had directed that such transportation be provided, I find it inconceivable for the Commission to make a finding that it is not in the public interest and it suits the public convenience and necessity. In other words, I would think that that question would be practically foreclosed by a congressional enactment directing that the service be instituted.

Mr. WRIGHT. What about the Interior Department?

Mr. AVERY. There was no congressional enactment directing the Secretary of the Interior to provide transportation on the Mall.

Mr. WRIGHT. Would it not have been a simple thing for your Commission to have had a hearing and issued a certificate of convenience and necessity to the Secretary?

Mr. AVERY. Yes, that would have been very simple. But the Interior Department directed their concessionaire not to come to us. We never had a chance to. The Secretary took the position that they did not have to come to us, so they were just about to start their operation without ever having to come to us at all.

Mr. WRIGHT. You cannot give a certificate without an application for a certificate?

Mr. AVERY. That is right, and they refused to apply.

Mr. WRIGHT. I do not want to get us into a jurisdictional squabble and I think maybe it is useful that you have come.

Now let me say what I hope this legislation will do. I hope it will direct the creation of such a system of limited transportation—limited not in numbers of people it would carry, but limited in the places it can go—not competitive with, but supplementary to the existing public transportation of the area.

I hope that it will be distinguishable from the existing public transportation in the area. Whether or not the concessionaire might be appropriately the present D.C. Transit Co., if it wants to become a concessionaire—I can see it might be the best one—but I would hope that these buses would be distinguishable from the company's regular buses; that they would operate on a precise and specific run for the convenience of tourists and visitors to our town.

I think this service would be different in essential character from that which is provided so efficiently by the existing transportation facilities; that which presently exists is primarily for the benefit of people who live here and work here and shop here on a regular basis. They know what bus they want to catch. They know where to go, on what corner to stand, in order to catch the bus that goes to a certain location. But a visitor does not know this.

I would hope that a separate and distinct form of transportation would be provided for these visitors, so that they might pay once and be entitled to make a circle, let us say, getting off wherever they wish, getting back on, and continuing on the circle.