

BEFORE THE  
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION  
WASHINGTON, D. C.  
ORDER NO. 380

IN THE MATTER OF:

Served September 11, 1964

Application of Atwood's )  
Transport Lines, Inc., )  
for a Certificate of )  
Public Convenience and )  
Necessity. )

Application No. 35

APPEARANCES:

DAVID C. VENABLE, Attorney for Atwood's Transport Lines, Inc.

JOHN R. SIMS, Attorney for D. C. Transit System, Inc.

S. HARRISON KAHN, Attorney for The Gray Line, Inc., and A. B. & W. Transit Company.

MANUEL J. DAVIS, Attorney for W. V. & M. Coach Company.

STANLEY KAMEROW, Attorney for W M A Transit Company.

LINWOOD C. MAJOR, Attorney for Airport Transport, Inc.

An application for a certificate of public convenience and necessity authorizing continuance of operations being conducted on or before March 22, 1961, pursuant to Section 4(a), Article XII, Title II, of the Compact (grandfather clause) was duly and properly filed by Atwood's Transport Lines, Inc., Washington, D. C., on or before June 21, 1961. In support of the application, the applicant submitted copies of certificates of public convenience and necessity issued it by the Interstate Commerce Commission, and other proof of actual operations. At least two informal conferences were held by and between the parties and no objection was voiced to the grant of authority authorized herein.

The regular route authority authorized herein is limited to the authority authorized in the certificates of public convenience and necessity previously issued by the Interstate Commerce Commission.

With reference to irregular route authority, the applicant's proof of operations related only to charter operations. In fact, applicant conceded that it was not engaged in special operations on the effective date of the Compact.

Applicant submitted proof of operations relating to numerous charter trips involving the transportation of school children in its regular buses from points in Montgomery County, Maryland, to points in the Metropolitan District. It appears that the children were the sole occupants of the vehicles, and were not mixed with regular passengers. The Commission has previously ruled that such transportation is exempt from the certificate requirements of the Commission pursuant to Section 1(a)(3), Article XII, of the Compact.

Under the Interstate Commerce Act, a holder of regular route authority also held incidental authority to engage in charter operations. Under this incidental authority a carrier could originate charter trips within the territory served by its regular route. In the absence of proof of actual operations to the contrary, the Commission concludes that applicant should be granted authority to originate trips in charter operations in the territory served within one mile of its regular routes to points in the Metropolitan District. No one contested the right of applicant to originate trips in charter operations from points within the District of Columbia to points in the Metropolitan District.

The Commission finds that Atwood's Transport Lines, Inc., was bona fide engaged in the transportation authorized herein on March 22, 1961, and further finds that a certificate of public convenience and necessity should be granted Atwood's Transport Lines, Inc., authorizing the following transportation:

1. REGULAR ROUTES:

Passengers and their baggage, and express, mail, and newspapers in the same vehicle:

Between Washington, D. C., and the site of the United States Atomic Energy Commission, near Germantown, Maryland, serving no intermediate points:

From Washington over city streets to the District of Columbia-Maryland line, thence over U. S. Highway 240 to junction Maryland Highway 118, and thence over Maryland Highway 118 to the site of the United States Atomic Energy Commission, and return over the same route.

Between Washington, D. C., and the Prince Georges-Charles County line, and all intermediate points, except intra-District points:

From Washington, over city streets to the District of Columbia-Maryland State line, thence over Maryland Highway 5 to the Prince Georges -Charles County line, and return over the same route.

2. IRREGULAR ROUTES:

Passengers and their baggage, and express, mail, and newspapers in the same vehicle:

Round-trip or one-way;

CHARTER OPERATIONS:

(1) From Washington, D. C., to points in the Metropolitan District.

(2) From points on its regular routes, authorized herein, and a territory within one mile thereof, to points in the Metropolitan District.

THEREFORE, IT IS ORDERED:

1. That a certificate of public convenience and necessity authorizing the transportation described hereinabove, be issued Atwood's Transport Lines, Inc.

2. That this Order become effective thirty (30) days after the date of issuance hereof.

BY DIRECTION OF THE COMMISSION:



DELMER ISON  
Executive Director