

BEFORE THE
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION
WASHINGTON, D. C.
ORDER NO. 386

IN THE MATTER OF: Nursing Home Services, Inc.)) v.)) D. C. Transit System, Inc.)	Served September 15, 1964 Formal Complaint No. 10 Docket No. 61
--	---

Nursing Home Services, Inc., has filed a formal complaint against D. C. Transit System, Inc., (herein sometimes referred to as Company), alleging lack of adequate regular route transportation service; that a request for additional service was made by it and refused by the Company; and that it and others similarly situated will be adversely affected by the continued refusal of the Company to supply the bus service requested.

Pursuant to Commission Rule 5, a copy of the complaint was served on D. C. Transit System, Inc., requiring an answer, if any, to be filed within fifteen (15) days. On August 26, 1964, the Company filed its answer and a Motion to Strike Complaint.

In its answer the Company denies knowledge of a prior request by complainant for the service alleged in the complaint; denies that it refused to grant the extension; and denies that the complainant will be adversely affected if the complaint is dismissed, averring that there is sufficient service within reasonable walking distance of the area. It further answers that in prior years the requested service had been furnished, but was discontinued because of poor patronage and that no changes have subsequently occurred to require the institution of that service.

The Company also filed a Motion to Strike the Complaint for Failure to Comply With Rule 10-02(d). The complainant filed its Opposition to the Motion to Strike the Complaint. Upon consideration of said Motion of the Company and the reply of the complainant, the Commission is of the opinion that the Motion to Strike the Complaint should be denied.

Inasmuch as the parties have failed to resolve the issues, the Commission is of the opinion that a public hearing on this matter should be held.

THEREFORE, IT IS ORDERED:

1. That the formal complaint filed by the Nursing Home Services, Inc., be, and it is hereby, set for hearing on Thursday, October 1, 1964, at 11:00 a.m., in the office of the Commission, 1815 North Fort Myer Drive, Arlington, Virginia

2. That D. C. Transit System, Inc., be, and it is hereby, made respondent to the proceeding.

3. That the posting requirement of the Commission's Regulation 6-02, is waived for this hearing and that the notice be posted fifteen (15) days in advance of the date set for hearing.

FOR THE COMMISSION:

A handwritten signature in cursive script, appearing to read "Delmer Ison".

DELMER ISON
Executive Director