

BEFORE THE
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 518

IN THE MATTER OF:

Served August 27, 1965

Petition of D. C. Transit)
System, Inc., for Ninety)
Day Extension of Temporary)
Authority to Operate Routes)
A-7, B-7, C-7 and D-7.)

Applications Nos. 317, 318,
319, 320.

Docket No. 86

APPEARANCES:

MANUEL J. DAVIS and GORDON A. PHILLIPS, Attorneys
for D. C. Transit System, Inc., applicant.

STANLEY H. KAMEROW, Attorney for WMA Transit Company,
protestant.

D. C. Transit System, Inc., (Transit), filed a petition for ninety (90) day extension of temporary authority, effective August 30, 1965, to operate Routes A-7, B-7, C-7, and D-7, as granted by Order No. 485.

WMA Transit Company (WMA), protested the language of the restriction relative to the operation of Route C-7, as authorized by Order No. 485. The restriction provided for no pickup and discharge over that portion of the route that duplicates the route of WMA from the intersection of Kenilworth Avenue and Eastern Avenue to Kenilworth Avenue and Calvert Road.

It is WMA's contention that Transit, in its temporary Route C-7 operation, should be restricted from picking up and discharging the same passenger over Kenilworth Avenue between the Maryland-D. C. line and the Capital Beltway, and be further restricted from transporting passengers between Washington, D. C., and north of the Maryland-D.C. line, along Kenilworth Avenue.

Transit submitted 13 exhibits into evidence. Mr. Raymond Russell, Director of Traffic Research, Research and Development Department, D. C. Transit System, Inc., testified for the Company. Briefly, Transit's testimony was that WMA did not operate over that portion of Kenilworth Avenue, north of Calvert Road, and that there was a physical barrier of trees and generally impassable terrain separating Edmonston Road from Kenilworth Avenue and, therefore, Transit Route C-7 service operated over Kenilworth Avenue was not competitive with WMA's service over Edmonston Road.

The witness for Transit testified that, at the present time, Transit does not stop to pick up or discharge passengers along that portion of Kenilworth Avenue, north of Calvert Road, and further stated that in his opinion there is no demand for service along that portion of Kenilworth Avenue at the present time. He also stated that it would not be safe to pick up or discharge passengers at the present time along that portion of Kenilworth Avenue, north of Calvert Road, since it is a high-speed roadway.

WMA Transit Company submitted 15 exhibits into evidence. Mr. Samuel A. Sardinia testified for WMA. Briefly, his testimony was that even though WMA does not operate service at the present time over that portion of Kenilworth Avenue, north of Calvert Road, that it does serve the area by its operations over Edmonston Road between Calvert Road and Greenbelt Road. Mr. Sardinia testified that, at certain points, passengers could walk a short distance to streets having access to Kenilworth Avenue, and therefore Transit service over Kenilworth Avenue was competitive with WMA. He further testified that at the present time, there is no development east of Kenilworth Avenue, between Calvert Road and Greenbelt Road and the only possible patronage that Transit could receive at the present time would be persons residing west of Edmonston Road, served by WMA.

The Commission is of the opinion that since no persons reside on the east side of Kenilworth Avenue, north of Calvert Road, and since the witness for Transit testified that, in his opinion, there is no need for pickup and discharge of passengers along that portion of Kenilworth Avenue at the present time, and since it is apparent that there will not be any demand for such service within the next ninety (90) days, that the ninety (90) day extension of temporary authority for Route C-7 should be granted D. C. Transit System, Inc., with a restricted operation along Kenilworth Avenue between the Maryland-D. C. line and the Capital Beltway.

The Commission finds that it is in the public interest to grant D. C. Transit System, Inc., an additional ninety (90) day temporary authority to operate Routes A-7, B-7, C-7 and D-7.

THEREFORE, IT IS ORDERED:

1. That an additional ninety (90) day temporary authority be, and it is hereby, granted D. C. Transit System, Inc., effective August 30, 1965, to operate Routes A-7, B-7, C-7 and D-7, as authorized by Order No. 485.

2. That D. C. Transit System, Inc., is restricted in its temporary Route C-7 operation from picking up and discharging the same passenger along Kenilworth Avenue, north of the Maryland-D. C. line, and is further restricted from transporting passengers between Washington, D. C., and north of the Maryland-D. C. line along Kenilworth Avenue.

BY DIRECTION OF THE COMMISSION:

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

DELMER ISON
Executive Director