

BEFORE THE  
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 572

IN THE MATTER OF:

Served February 25, 1966

Application of WMA Transit )  
Company for Authority to )  
Serve its Routes 1-9, 11-14, )  
22, 25-27, and 30-38. )

Application No. 341

Docket No. 100

The WMA Transit Company has filed an application requesting authority to add Routes 1-9, 11-14, 22, 25-27, and 30-38. More specifically, these routes are as described in its application and in Order No. 528, issued September 10, 1965.

The applicant at the time of filing sought, and was issued, temporary authority to operate all of the routes described above with the exception of Routes 34, 37, and 38. At the hearing, the applicant requested that the application be amended by the deletion of proposed Route 22. The request was granted.

A protest to the application was filed by D. C. Transit System, Inc. ("Transit").

The hearing was held by an examiner. The record consists of 70 pages of testimony and 6 exhibits. One witness testified for the applicant, and one for the protestant.

Primarily, the application seeks to establish specified regular routes for transporting children to and from school in vehicles not employed solely for such transportation,<sup>1</sup> within Prince Georges County, Maryland. It also seeks authority to commingle passengers other than school children on the service. The latter would cause the proposed service to be classified as a regular route, common carrier operation.

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1/ Article XII, Section 1(a)(3) of the Compact exempts the "transportation by motor vehicles employed solely in transporting school children and teachers to or from public or private schools" from the jurisdiction of the Commission.

The witness for the applicant testified that the application was filed in order that the applicant would be authorized to provide school bus service along the routes specified. He noted that school bus service on these routes was provided during the past school year, and at that time it was thought that the service was exempt from Commission jurisdiction because the only transportation involved was that of school children to and from schools. He noted that Commission Order No. 251 prohibited the Company from using its transit vehicles in transporting school children without the requisite authority. He further noted that the applicant does not possess the necessary "exclusive" school buses to operate the service and would have to operate them with regular transit vehicles. The service would be rendered only on days that schools are open. However, as previously noted, the applicant proposes to transport adults commingled with the children in the proposed service.

The witness stated that most of the children would be transported pursuant to contracts with various schools located in Prince Georges County, Maryland. Those children will be admitted to the vehicle upon the display of a pass issued by the school. Other school children will pay a cash fare, as provided in tariffs as approved by the Commission.

The service is designed for intra-Maryland operations. Some of the routes are designed to operate across Southern Avenue, in the District of Columbia, in transit from one part of Maryland to another. The only reason for traversing that particular street is that it is the only street available. No District of Columbia passengers will be transported.

The applicant's justification for the additional authority relating to the transportation of passengers other than the school children was that the proposed service would be a "convenience", but that the applicant did not "anticipate that many adults will ride..."

Transit objects to the issuance of the requested authority on several grounds:

1. That no proof of public convenience and necessity for adult passengers was adduced by the applicant.
2. That applicant should be required to purchase sufficient equipment to enable it to render the school operations in vehicles used exclusively for school children.
3. That the proposed routes were designed to provide transportation to schools, and are not conducive to mass transit operations either as to location or scheduling.
4. While Transit does not operate any regular route service over any of the proposed routes, the areas covered by Routes 32 through 38 are contiguous to routes and territory served by Transit, and are

areas into which "it would be normal and natural for D. C. Transit to extend its regular route operations."

Transit concludes that the issuance of regular route authority would restrict it from ever extending into those contiguous areas.

The Commission is of the opinion and finds that the applicant has failed to prove that the public convenience and necessity requires the proposed transportation of persons other than school children. Mere convenience to a few people is not enough. The applicant has not demonstrated, in this proceeding, that the proposal was conceived to respond to a public demand or need.

The large number of children to be transported demonstrates a distinct need for the proposed operations. Upon this evidence the Commission further finds that the public convenience and necessity does require the transportation of school children as proposed, and that the applicant is fit, willing, and able to provide such transportation.

Transit's proposal that applicant should be required to purchase sufficient equipment to enable it to render the school service in exempt vehicles is not well taken. It would promote extravagance and a needless expenditure of money. Frugality is still a virtue, and where a carrier seeks to utilize existing equipment, such prudence should not be discouraged, especially where the equipment is available. Where usage will not detract from the carrier's primary obligation to render its regular route, common carrier operations, utilization should be encouraged.

The applicant presently holds a certificate of public convenience and necessity from this Commission, authorizing extensive regular route, common carrier operations in Prince Georges County, Maryland. The certificate also authorizes irregular route, charter operations within a large portion of that county, and irregular route, special operations between points on its regular routes and points within the District of Columbia and Prince Georges County, Maryland.

In view of our action in authorizing transportation for school children and teachers only, Transit's remaining contentions are not material.

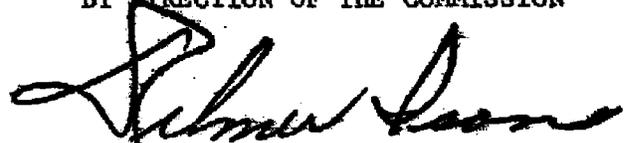
The Commission is of the opinion that the WMA certificate should be amended, to authorize the applicant to transport school children and teachers to and from schools over the routes heretofore described.

THEREFORE, IT IS ORDERED:

1. That WMA Transit Company be, and it is hereby, granted authority to establish Routes 1-9, 11-14, 25-27, and 30-38.

2. That WMA Transit Company Certificate of Public Convenience and Necessity No. 8 be, and it is hereby, amended by incorporating Second Revised Page 9, Cancelling First Revised Page 9; First Revised Page 10, Cancelling Original Page 10; and Original Pages 11, 12, 13, 14, and 15, as attached hereto and made a part hereof.

BY DIRECTION OF THE COMMISSION

A handwritten signature in black ink, appearing to read "Delmer Ison", written in a cursive style.

DELMER ISON  
Executive Director

- (7) Along Benning Road, S. E., from Southern Avenue to Hanna Place, S. E.
  - (8) Along Hanna Place, S. E., from Benning Road, S. E., to H Street, S. E.
  - (9) Along H Street, S. E., from Hanna Place, S. E., to Alabama Avenue, S. E.
  - (10) Along Alabama Avenue, S. E., from H Street, S. E. to Hillside Road, S. E.
  - (11) Along Hillside Road, S. E., from Alabama Avenue, S. E., to Benning Road, S. E.
  - (12) Along Ridge Road, S. E., from Bowen Road, S. E., to Southern Avenue.
- (C) Between points within the District of Columbia, west of 60th and East Capitol Streets, N. E., and points within the District of Columbia, serving all intermediate points as follows:
- (1) Along East Capitol Street from 60th Street, N. E., to Southern Avenue.
  - (2) Along 63rd Street, N. E., from Southern Avenue to Eastern Avenue.
  - (3) Along Southern Avenue from 63rd Street, N. E., to Eastern Avenue.
  - (4) Along Eastern Avenue from 63rd Street, N. E., to Southern Avenue.
  - (5) Along Eastern Avenue from Addison-Chapel Road to Kenilworth Avenue.
- (D) Between the Downtown Terminal and South Capitol Street at Firth Sterling Avenue on Mondays thru Fridays, holidays excepted, during the periods of day when passenger service on South Capitol Street at the parking lot is not provided by D. C. Transit System, Inc.

NOTE: The repetition of route description with respect to the highways over which operations are authorized herein shall not be construed as granting more than a single operating right over said highways.

**\*(E) SCHOOL ROUTES:** School children and teachers only, during officially scheduled school sessions over the following routes:

- \*1 Between junction Pard Road and Southern Avenue, and Mount Calvary School via Southern Avenue, Marlboro Pike, 59th Avenue, Boundary Road, 60th Avenue, Marlboro Pike, Walker Mill Road, 69th Place, Nassau Street, 71st Avenue, Beltwood Street, County Road, Cabot Street, Delano Avenue, Marlboro Pike, Old Silver Hill Road, Kentucky Avenue, Maryland Avenue, Marlboro Pike, and Mount Calvary School Access Road.
- \*2 Between junction Pard Road and Southern Avenue, and Mount Calvary School, via Southern Avenue, Fairhill Drive, Greenway Drive, 36th Place, Southern Avenue, Ellis Street, 49th Avenue, Harper Avenue, Service Road, G Street, Belt Road, Harper Avenue, 49th Avenue, Ellis Street, 52nd Avenue, Alton Street, Shadyside Avenue, Bromley Avenue, Lewis Avenue, Homer Avenue, Porter Avenue, Silver Hill Road, Old Silver Hill Road, Marlboro Pike, and Mount Calvary School Access Road.
- \*3 Between junction Pard Road and Southern Avenue, and Mount Calvary School, via Southern Avenue, V Street, 53rd Avenue, Alton Street, Shadyside Avenue, Bennett Avenue, Houston Road, Dowell Lane, Wyngate Road, Lakewood Road, Brookfield Drive, Shadyside Avenue, Davis Avenue, Porter Avenue, Silver Hill Road, Old Silver Hill Road, Marlboro Pike and Mount Calvary School Access Road.
- \*4 Between junction Pard Road and Southern Avenue, and Mount Calvary School via Southern Avenue, Suitland Road, Arnold Road, Ewing Street, Suitland Road, Eastern Lane, Sunset Lane, Silver Hill Road, East Avenue, Taylor Avenue, Birkle Lane, Rupert Avenue, Norman Drive, Taylor Avenue, East Avenue, Logan Street, West Avenue, Silver Hill Road, Old Silver Hill Road, Marlboro Pike, and Mount Calvary School Access Road.
- \*5 Between Mount Calvary School and Mount Calvary School, via Marlboro Pike, Old Silver Hill Road, Pennsylvania Avenue, Shadyside Avenue, Bennett Avenue, Gaylord Drive, Kendrick Road, Wyngate Road, Brookfield Road, Shadyside Avenue, Davis Avenue, Medora Drive, Brooks Drive, Silver Hill Road, Old Silver Hill Road, Marlboro Pike and Mount Calvary School Access Road.

- \*6 Between Mount Calvary School and Mount Calvary School, via Marlboro Pike, Old Silver Hill Road, Silver Hill Road, Pennsylvania Avenue Extended, Maryland Avenue, Park-Berkshire Drive, Service Road loop around Park-Berkshire Apartments, Park-Berkshire Drive, Maryland Avenue, Pennsylvania Avenue, Walters Lane, Service Road loop in Penn Gardens Apartments, Walters Lane, Pennsylvania Avenue, Donnell Drive, "U" turn on Donnell Drive, Donnell Drive, Pennsylvania Avenue, Old Marlboro Pike, Suitland Parkway, Forestville Road, Leona Street, 81st Avenue, Earl Drive, 82nd Avenue, Leona Street, Forestville Road, Service Road, Camp Street, Spring Street, Cross Street, Pumphrey Drive, Marlboro Pike, and Mount Calvary School Access Road.
- \*7 Between Mount Calvary School and Mount Calvary School, via Marlboro Pike, Ritchie Road, D'Arcy Road, Westphalia Road, Pennsylvania Avenue, Forestville Road, Marlboro Pike, 80th Avenue, 81st Avenue, 83rd Avenue, Mason Street, 82nd Avenue, Marbury Drive, Boones Lane, Marion Street, 79th Avenue, Mason Street, 80th Avenue, Marlboro Pike, and Mount Calvary School Access Road.
- \*8 Between Mount Calvary School and Mount Calvary School via Marlboro Pike, Ritchie Road, Ashville Road, Darlington Street, Eureka Street, Woodlark Drive, Alberta Drive, Ritchie Road, Park Boulevard, Redwood Drive, 3rd Street, Park Boulevard, Ritchie Road, Old Marlboro Pike, Forest Edge Road, Old Marlboro Pike, Marlboro Pike, and Mount Calvary School Access Road.
- \*9 Between Mount Calvary School and Mount Calvary School, via Luana Avenue, Kipling Parkway, Lorrington Drive, Nimitz Street, Wintergreen Avenue, Marbury Drive, Senator Avenue, Mason Street, Kipling Parkway, Harwood Road, Lynnhaven Drive, Marbury Drive, Kipling Parkway, Marbury Drive, District Heights Parkway, Ramblewood Drive, Foster Street, Halleck Street, Mason Street, Gateway Boulevard, Breton Drive, District Heights Parkway, Addison Street, Alpine Street, Atwood Street, Rochelle Avenue, Elmhurst Street, 72nd Avenue, Foster Street, 74th Avenue, Kipling Parkway, Luana Avenue, and Mount Calvary School Access Road.
- \*10 Intentionally Left Blank

CERT. NO. 8

- \*11 Between junction Pard Road and Southern Avenue, and Holy Family School, via Southern Avenue, Branch Avenue, Silver Hill Road, Park Boulevard, "U" turn on Cedar Drive, Park Boulevard, Silver Hill Road, St. Barnabas Road, Dallas Drive, Raleigh Road, Beaumont Street, Akron Street, Walnut Street, Dallas Drive, St. Barnabas Road, 28th Avenue, St. Clair Drive, Olson Street, 23rd Parkway, Dunlap Street, and Holy Family School Access Road.
- \*12 Between Holy Family School and Holy Family School, via Dunlap Street, 23rd Parkway, Iverson Street, 28th Avenue, Kenton Place, 23rd Parkway, Dunlap Street and Holy Family School Access Road.
- \*13 Between junction Pard Road and Southern Avenue, and Holy Family School, via Southern Avenue, Branch Avenue, Colebrooke Drive, Silver Hill Road, Bonita Street, Branch Avenue, Naylor Road, Elm Street, 31st Street, Afton Street, 28th Parkway, 27th Avenue, Berkley Street, 26th Avenue, Catskill Street, 25th Avenue, Oxon Run Drive, 23rd Parkway, "U" turn on Golf Course Parking Lot, 23rd Parkway, Chadwick Street, Dunlap Street, and Holy Family School Access Road.
- \*14 Between Holy Family School and Holy Family School, via Dunlap Street, 23rd Parkway, Fairlawn Street, 28th Parkway, Curtis Drive, 31st Street, 32nd Avenue, Curtis Drive, 28th Parkway, Gaither Street, Colebrooke Drive, Fairlawn Street, 26th Avenue, Keating Street, 24th Avenue, Jameson Street, 23rd Parkway, Dunlap Street and Holy Family School Access Road.
- \*15-24 Intentionally Left Blank
- \*25 Between junction Norris Drive and Fisher Road, and McNamara High School via Fisher Road, Temple Road, St. Barnabas Road, 28th Avenue, St. Clair Drive, Kenton Place, 23rd Parkway Iverson Street, 25th Avenue, Colebrooke Drive, Branch Avenue, St. Barnabas Road, Silver Hill Road, Brooks Drive, La Reine High School Access Road, Brooks Drive, Silver Hill Road, Marlboro Pike and McNamara High School Access Road.

- \*26 Between junction Suitland Parkway and Allentown Road, and McNamara High School, via Allentown Road, Pennsylvania Avenue, Dower House Road, Woodyard Road, Old Branch Avenue, Kirby Road, Temple Road, Allentown Road, Branch Avenue, Auth Road, Allentown Road, Brinkley Road, Middletown Lane, Old Branch Avenue, Henderson Road, Temple Road, St. Barnabas Road, Silver Hill Road, Branch Avenue, Curtis Drive, 28th Avenue, 27th Avenue, Berkley Street, 23rd Parkway, Oxon Run Drive, Naylor Road, Branch Avenue, Southern Avenue, Pennsylvania Avenue, Shadyside Avenue, Davis Avenue, Medora Drive, La Reine High School Access Road, Brooks Drive, Silver Hill Road, Marlboro Pike, and McNamara High School Access Road.
- \*27 Between junction South Capitol Street and Southern Avenue, and McNamara High School, via South Capitol Street, Indianhead Highway, Livingston Road, Oxon Hill Road, St. Barnabas Road, 28th Avenue, St. Clair Drive, Kenton Place, 23rd Parkway, Iverson Street, 25th Avenue, Colebrooke Drive, Branch Avenue, St. Barnabas Road, Silver Hill Road, Brooks Drive, La Reine High School Access Road, Brooks Drive, Silver Hill Road, Marlboro Pike, and McNamara High School Access Road.
- \*28-29 Intentionally Left Blank
- \*30 Between junction Pard Road and Southern Avenue, and La Reine High School, via Southern Avenue, Branch Avenue, St. Barnabas Road, Wheeler Road, Iverson Street, 25th Avenue, Colebrooke Drive, Silver Hill Road, Brooks Drive, and Access Road to La Reine High School.
- \*31 Between junction Ardwick Road and Buchanan Street, and St. Mary's School, via Ardwick Road, John Hanson Highway, Ardwick Road, George Palmer Highway, Glenarden Parkway, "U" turn on Reed Street, Glenarden Parkway, George Palmer Highway, Ardmore Road, Ardwick Road, Whitfield-Chapel Road, Annapolis Road, Fontana Drive, Ellerbie Street, Annapolis Road, Galveston Avenue, "U" Turn on Buena Vista Avenue, Galveston Avenue, Annapolis Road, Seabrook Road, Dubarry Avenue, Greenwood Lane, Annapolis Road, and St. Mary's School Access Road.
- \*32 Between St. Mary's School and St. Mary's School, via Buchanan Street, Ardwick Road, Annapolis Road, 85th Avenue, Westbrook Drive, Madison Street, 85th Avenue, Oglethorpe Street, 85th Avenue, Freemont Street, 85th Avenue, Carrollton Parkway, Lamont Drive, Riverdale Road, Annapolis Road, and St. Mary's School Access Road.

- \*33 Between St. Mary's School and St. Mary's School, via Buchanan Street, 72nd Avenue, Shepherd Street, Fairwood Road, Warner Avenue, Elkridge Street, Coopers Lane, 66th Avenue, Newport Road, 68th Avenue, Greenvale Parkway, Annapolis Road and St. Mary's School Access Road.
- \*34 Between St. Mary's School and St. Mary's School, via Buchanan Street, Ardwick Road, Annapolis Road, Finns Lane, Riverdale Road, Auburn Avenue, Good Luck Road, Lamont Drive, Riverdale Road, Annapolis Road and St. Mary's School Access Road.
- \*35 Between St. Mary's School and St. Mary's School, via Annapolis Road, Maryland Route 564, Seabrook Road, Tuckerman Street, 97th Avenue, Wellington Street, 94th Avenue, Telegraph Road, Hickory Hill Avenue, Princess Garden Parkway, Annapolis Road, 85th Avenue, Legation Road, Mahoney Drive, Riverdale Road, Annapolis Road, and St. Mary's School Access Road.
- \*36 Between St. Mary's School and St. Mary's School, via Buchanan Street, Ardwick Road, Annapolis Road, 85th Avenue, Legation Road, Topton Street, Lamont Drive, Powhatan Street, Legation Road, Mahoney Drive, Riverdale Road, Annapolis Road, and St. Mary's School Access Road.
- \*37 Between junction Lois Lane and Riverdale Road, and St. Mary's School, via Lois Lane, Kempton Road, Martins Lane, Riverdale Road, Finns Lane, Patterson Street, Oliver Street, Finns Lane, Annapolis Road, 77th Avenue, Emerson Road, West Lanham Drive, Garrison Road, Annapolis Road, Greenvale Parkway, Furman Parkway, Vallery Street, Wiley Street, Greenland Street, Furman Parkway, Greenvale Parkway, Hillwood Drive, 66th Place, Hillwood Drive, Greenvale Parkway, Annapolis Road, and St. Mary's School Access Road.
- \*38 Between junction Riverdale Road and Auburn Avenue and St. Mary's School via Auburn Avenue, Good Luck Road, Trexler Road, Nashville Road, Good Luck Road, Cathedral Avenue, Malissa Street, Fairbanks Street, Sprague Place, 85th Place, Powhatan Street, Westbrook Drive, Lamont Drive, Riverdale Road, Annapolis Road, and St. Mary's School Access Road.

IRREGULAR ROUTES:

Passengers and their baggage:

(A) CHARTER OPERATIONS:

Round-trip or one-way;

(1) From points in the District of Columbia to points in the Metropolitan District.

(2) From points in that portion of Prince Georges County, Maryland, lying east of U. S. Highway 1 to points in the Metropolitan District.

(B) SPECIAL OPERATIONS:

Round-trip or one-way;

Between points on its regular routes, authorized herein on the one hand, and points within the District of Columbia and Prince Georges County, Maryland on the other.

AND IT IS FURTHER ORDERED and is made a condition of this Certificate that the holder thereof shall render reasonable, continuous and adequate service to the public in pursuance of the authority granted herein, and that failure so to do shall constitute sufficient grounds for suspension, change or revocation of this Certificate.

The operating authority granted by this Certificate is granted pursuant to Order No. 367 and also embraces and supercedes the operating rights previously set forth in Order No. 325.

BY DIRECTION OF THE COMMISSION



DELMER ISON  
Executive Director