

BEFORE THE
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 726

IN THE MATTER OF:

Served July 28, 1967

Application of D. C. Transit System, Inc., for 180-Day Temporary Authority to Operate Horse-Drawn Vehicles and/or Special Motor Buses Over Regular Routes.)	Application No. 438
)	Docket No. 149

D. C. Transit System, Inc., filed an application for 180-day temporary authority to operate horse-drawn vehicles and/or special motor buses over a regular route and on a fixed schedule between Rosslyn Terminal and Georgetown as follows:

From Rosslyn Circle, north on Key Bridge, east on M Street, north on Wisconsin Avenue, west and south on Hall Place, east on W Street, south on Wisconsin Avenue, west on M Street and south on Key Bridge to Rosslyn Circle.

Terminal Stand on north roadway of Rosslyn Circle at passenger shelter.

The matter was heard before an examiner on Thursday, July 6, 1967. Horse Buses, Inc., was permitted to intervene at the hearing. Also permitted to intervene were authorized representatives of the Georgetown Civic Association. Additionally, pursuant to notice duly filed, a representative of the District of Columbia Department of Highways and Traffic appeared.

One witness testified for the applicant, and introduced eleven exhibits which were admitted into evidence. Two witnesses were called for Horse Buses, Inc. Two persons gave testimony on behalf of the Civic Association.

In considering an application for temporary authority, the Commission is guided by the provisions of Title II, Article XII, Section 4(d)(3) of the Compact, which provides:

"To enable the provision of service for which there is an immediate and urgent need to a point or points or within a territory having no carrier service capable of meeting such need, the Commission may, in its discretion and without hearings or other proceedings, grant temporary authority for such service. . . ."

Based on the evidence adduced in this proceeding, the Commission is of the opinion and finds that the applicant has failed to demonstrate an immediate and urgent need for the service. D. C. Transit presently operates regular route bus service over M Street between Rosslyn Circle and Wisconsin Avenue and also over Wisconsin Avenue between M Street and Hall Place. These two routes converge at the intersection of Wisconsin Avenue and M Street and continue eastward into the heart of the District of Columbia. Persons now desiring to travel between points on Wisconsin Avenue and a point on M Street or Rosslyn Circle may do so by transferring at the intersection of Wisconsin Avenue and M Street. As this service operates on frequent headways and with no cost for a transfer, it would appear that the existing service is adequate in the absence of a showing of a special or extraordinary demand for the service proposed. No such showing was made in this proceeding by the applicant, as the Company submitted no evidence which would indicate either a deficiency in the existing service or a demand for the proposed service.

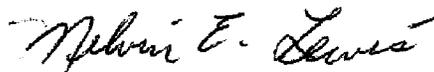
Transit proposed to operate the service in special vehicles. Its evidence revealed that these are the same type of vehicles recently renovated and utilized in its sightseeing tours. This innovation does not change the character of the service operated -- it would remain a regular route, mass transit operation.

One aspect of the application remains for discussion. Transit's application proposed an alternative type of vehicle to operate the service, namely, horse-drawn vehicles. However, its evidence revealed that it found that a study-survey of the desirability for the utilization of this type of vehicle was necessary before it could proffer evidence of the need for such a service. Thus, its own evidence negates any sense of urgency for such a service. Nevertheless, Transit contended that the operation of its special type of vehicle would provide data for an evaluation of the horse-drawn vehicle concept. A correlation between the two concepts does not exist, and there is little relevance as far as the alternative proposal is concerned. Moreover, it would appear that Transit's existing sightseeing operation, conducted in the special motor bus vehicles, offers a more analogous situation. The availability of this existing service for comparative and evaluation purposes further erases any basis for immediate approval. The only other witness to offer substantive evidence was Mr. Hanson of the District of Columbia Department of Highways. His testimony creates grave doubt as to the advisability of permitting horse-drawn vehicles to operate on major arterial streets such as Wisconsin Avenue. However, since this proceeding is restricted to the question of whether there is an immediate and urgent need for the proposed service, and we have found that there is no such need, we need not decide that issue.

Accordingly, the Commission concludes that the application for temporary authority should be denied.

THEREFORE, IT IS ORDERED that the application of D. C. Transit System, Inc., for temporary authority to operate horse-drawn vehicles and/or special motor buses be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:



MELVIN E. LEWIS
Executive Director