

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 772

IN THE MATTER OF:	Served January 22, 1968
Application of D. C. Transit) System, Inc., for Authority) to Increase Fares.)	Application No. 453
Application of D. C. Transit) System, Inc., for Authority) to Increase its Fleet in Lieu) of Purchasing Buses.)	Application No. 436 Docket No. 156

On December 28, 1967, the Commission entered Order No. 766, in which it found that the tariffs under consideration in this matter should be further suspended, pursuant to applicable provisions of the Compact. Accordingly, that Order entered the suspension of said tariffs until January 27, 1968, unless otherwise ordered.

On January 18, 1968, D. C. Transit filed an application for reconsideration of said Order No. 766, in which it alleges that the provisions of the Compact which provided further suspension of the tariffs is modified and restricted by Transit's Congressional Franchise, as stated in Public Law 84-757, 70 Stat. 598 (1956).

That law established procedural requirements in situations where Transit filed tariffs seeking changes in fares with the District of Columbia Public Utilities Commission. The enactment of the Compact in 1960 transferred the jurisdiction of that commission to this agency and, concomitantly, established new procedural ground rules for the regulation of all carriers, including D. C. Transit.

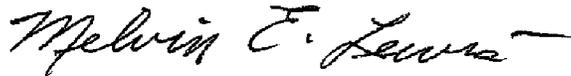
This contention has previously been raised before us, and was rejected in the last fare case proceeding of Transit before this Commission (Order No. 668, served February 1, 1967). Transit sought judicial review of that question and

the matter is now pending before the United States Court of Appeals for the District of Columbia Circuit.

Transit has presented nothing in the application for reconsideration which would cause us to reconsider or modify our previous ruling. The Commission is of the opinion that the application for reconsideration should be denied.

THEREFORE, IT IS ORDERED that the application of D. C. Transit System, Inc., for reconsideration of Order No. 766 be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:



MELVIN E. LEWIS
Executive Director

AVERY, Chairman, did not participate
in this decision