

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,116

IN THE MATTER OF:

Served August 17, 2009

Application of A YANKEE LINE, INC.,)
for Temporary Authority --)
Irregular Route Operations)

Case No. AP-2009-086

Applicant seeks temporary authority to transport passengers in irregular route operations between points in the Metropolitan District.¹ The application is unopposed.

Under Title II of the Compact, Article XI, Section 13(a), the Commission may grant temporary authority if there is an immediate need for service that is not available. Under Regulation No. 54-06(a):

Applications seeking temporary authority to conduct for-hire transportation of passengers in the Metropolitan District shall be accompanied by evidence sufficient to enable the Commission to determine (i) the exact nature of the service proposed, (ii) that there is an immediate need for service that is not available, and (iii) that applicant is fit to provide the temporary service proposed.

Applicant proposes commencing temporary operations under an agreement with Global Events Partners Washington (GEP Washington) to transport passengers between the Gaylord National Hotel in National Harbor, MD, on the one hand, and other points in the Metropolitan District, on the other, on August 18 and 19, 2009, using four motorcoaches with seatbelts.

GEP Washington is a destination management company that provides event coordination services in the Washington, DC, area. According to GEP Washington, Shell Oil Company is hosting a thirty-year anniversary celebration for its Jiffy Lube division at the National Museum of American History in the District of Columbia on August 18, and Shell Oil has hired GEP Washington to make arrangements for shuttling Shell Oil's guests from the Gaylord National Hotel to the museum and other destinations in the Metropolitan District on August 18 and 19. Shell Oil has requested that the buses be equipped with seat belts. GEP Washington states that it contacted the coach companies operating in the Metropolitan District and was unable to locate any current WMATC carriers with buses equipped with seat belts.

Applicant states that it has the required equipment and otherwise verifies that: (1) applicant owns or leases, or has the

¹ Applicant has also applied for a certificate of authority in Case No. AP-2009-085.

means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission. The Commission further finds that applicant has demonstrated an immediate need for service that is not available from other carriers.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Temporary Authority No. AP-2009-086 shall be issued to applicant authorizing applicant to transport passengers for hire between the Gaylord National Hotel, on the one hand, and other points in the Metropolitan District, on the other, on August 18 and 19, 2009, using four motorcoaches with seatbelts.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a notice of temporary authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to present its revenue vehicle(s) for inspection and file the following documents on or before August 18: (a) evidence of insurance pursuant to Commission Regulation No. 58; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; and (e) proof of current safety inspection of said vehicle(s) under 49 C.F.R. 396.

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

FOR THE COMMISSION



William S. Morrow, Jr.
Executive Director