

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1172

IN THE MATTER OF:

Served October 4, 1971

Investigation of Authority )  
to Perform Contract Opera- )  
tions. )

Docket No. 234

The jurisdiction of this Commission as it is defined in Article XII, Section 1 of the Washington Metropolitan Area Transit Regulation Compact extends to all "for hire" transportation in the Metropolitan Transit District, with certain exceptions. Our regulations define a variety of specific types of for hire transportation service, including regular and irregular route service and charter service. There are in force sixteen certificates of public convenience and necessity expressly authorizing the carriers holding them to perform some or all of the transportation services defined in the regulations. However, there is a type of service performed by some carriers known as contract or contract-charter service which is not explicitly defined in either the Compact or our Rules and Regulations.

There is no doubt that such operations are "transportation for hire by any carrier of persons between any points in the Metropolitan District" and thereby subject to provisions of Compact Article XII, Section 4(a) and our Rules and Regulations. However, there is some dispute as to the source or sources of authority for the operation of this type of service. By Application No. 715, WMA Transit Company sought new authority of this sort and was opposed by the three largest regular route carriers in the Metropolitan District. In addition, Formal Complaint Nos. 24 and 26, both pending, deal with this sort of operation. We believe that a clear delineation of the authority of carriers under our jurisdiction to perform such services is required.

Therefore, we shall herein institute a proceeding in which all certificated carriers are to be parties, and in

which any interested member of the public may join, to gather pertinent information and hear arguments bearing on the issue of authority to perform the type of service in question. As a first step in this proceeding, a pre-hearing conference will be held.

THEREFORE, IT IS ORDERED:

1. That a general investigatory proceeding to delineate the authority necessary to operate contract or charter-contract service be, and it is hereby, established as Docket No. 234.
2. That Formal Complaint Nos. 24 and 26; and Application No. 715, be, and they are hereby, incorporated into Docket No. 234.
3. That all certificated carriers be, and they are hereby, made parties to Docket No. 234.
4. That a pre-hearing conference in Docket No. 234 be, and it is hereby, set for Tuesday, October 26, 1971, at 10:00 A. M. in the Hearing Room of the Commission, Room 314, 1625 Eye Street, N. W., Washington, D. C. 20006.

BY DIRECTION OF THE COMMISSION:

  
DOUGLAS N. SCHNEIDER, JR.  
Executive Director