

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1253

IN THE MATTER OF:

Served April 13, 1973

Amendment of Certificates )  
of Public Convenience and )  
Necessity of: )  
D. C. Transit System, Inc.; )  
W. V. & M. Coach Company; )  
A. B. & W. Transit Company; )  
WMA Transit Company. )

Docket No. 250

By Order No. 1249, served March 12, 1973, the matter of amending the outstanding Certificates of Public Convenience and Necessity issued by the Commission to the subject carriers was assigned for hearing on May 3, 1973. Pre-hearing conference thereon was held on April 3, 1973, at which time the following information was developed.

Pursuant to appropriate legislation,<sup>1/</sup> the Washington Metropolitan Area Transit Authority (WMATA), assumed the operation of the regular-route bus service in the Washington area, theretofore operated by the subject carriers.

The acquisition of the properties of D. C. Transit and W. V. & M.<sup>2/</sup> was accomplished by order of the U. S. District Court for the District of Columbia, pursuant to a Declaration of Taking filed January 14, 1973. The issue of the reasonableness of the condemnation award and the values of each class of property and other rights acquired is now before the Court.<sup>3/</sup> The properties of A. B. & W. and WMA were acquired through separate agreements of sale, effective February 4, 1973, negotiated under threat of condemnation.

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1/ Public Law 92-517 and companion legislation enacted in Maryland and Virginia.

2/ A wholly-owned subsidiary of D. C. Transit.

3/ Civil Action No. 79-73.

Since acquisition of the aforesaid properties, WMATA has actively performed the transit services of the four prior operators, except individually ticketed sightseeing operations which are specifically precluded under the terms of the takeover legislation. It also has performed, or holds itself out to perform, charter service limited to an area within a radius of 250 miles of Washington, D. C.

Since the takeover, D. C. Transit has purchased certain new bus equipment to be used in irregular route per capita sightseeing operations and charter operations not competitive with such service operated by WMATA. D. C. Transit also leases equipment required to provide per capita sightseeing service. It conducts no regular-route operations at present.

Neither A. B. & W. nor WMA have conducted regular-route or irregular-route operations since the respective sales agreements became effective. Each corporation as now constituted anticipates that it will be dissolved.

The pre-hearing conference also disclosed the principal issues to be as follow:

1. (A) What is the impact on Certificate of Public Convenience and Necessity No. 5 of the public taking by WMATA of the properties of D. C. Transit?

(B) How should Certificate of Public Convenience and Necessity No. 5 be revised?

2. (A) What is the impact on Certificate of Public Convenience and Necessity No. 4 of the public taking of the properties of W. V. & M. by WMATA?

(B) How should Certificate of Public Convenience and Necessity No. 4 be revised?

3. (A) What is the impact on Certificate of Public Convenience and Necessity No. 11 of the purchase of the properties of A. B. & W. by WMATA?

(B) How should Certificate of Public Convenience and Necessity No. 11 be revised?

4. (A) What is the impact on Certificate of Public Convenience and Necessity No. 8 of the purchase of the properties of WMA by WMATA?

(B) How should Certificate of Public Convenience and Necessity No. 8 be revised?

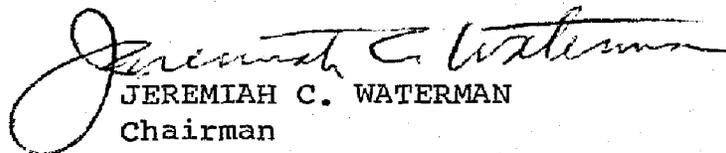
THEREFORE IT IS ORDERED:

1. That the hearing scheduled by Order No. 1249 at 10:00 A.M., May 3, 1973, at the Commission's Hearing Room, Room 314, 1625 Eye Street, N. W., Washington, D. C., shall commence for the making of an appropriate record as announced.

2. That each party desiring to present evidence shall serve any prepared testimony and exhibits in such a manner that six (6) copies shall be received by the Commission and one copy by each party on or before Wednesday, April 25, 1973.

3. That notice of the hearing shall be published by the staff in a newspaper of general circulation in the Metropolitan District on or before Wednesday, April 18, 1973.

BY DIRECTION OF THE COMMISSION:

  
JEREMIAH C. WATERMAN  
Chairman

