

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1338

IN THE MATTER OF:

Application of COLUMBIA TRANSPO) Served June 27, 1974
COMPANY, INC., for a Certifi-)
cate of Public Convenience and) Application No. 837
Necessity)
) Docket No. 266

By Application No. 837, filed June 12, 1974, Columbia Transpo Company, Inc. (Columbia) seeks a certificate of public convenience and necessity, pursuant to Title II, Article XII, Section 4(b) of the Compact, to transport employees and guests of The International Business Machines Corporation (IBM) among IBM's facilities located at 10215 Fernwood Road, Bethesda, Md., 10401 Fernwood Road, Bethesda, Md., and 18100 Frederick Pike, Gaithersburg, Md. Each of these points is located within the Metropolitan District.

The tariff filed with Application No. 837 anticipates that IBM would pay for the passenger carrier service to be performed by Columbia. Passengers travelling in the vehicle would not be charged for the transportation service. The following rate schedule has been submitted by Columbia: (a) for each vehicle and driver operated between 8:00 a.m., and 5:00 p.m., on Monday through Friday, except on official IBM holidays, \$102.00 per day; (b) for additional services with the same vehicle which cause increased mileage and/or driver overtime, \$0.15 for each mile above the normally scheduled miles and \$7.05 for each hour of driver overtime; (c) for overtime hours caused by unusual traffic or IBM caused delay in returning at the end of the day, \$7.05 for each hour of driver overtime, and (d) for additional transportation services on an "as required" basis with additional

vehicle(s) and driver(s), \$12.75 per hour measured from the time that Columbia's vehicle leaves its Chevy Chase terminal until the time that it returns, except that if such services are provided on Sundays or holidays, the rate would be \$17.45 per hour.

Title II, Article XII, Section 4(b) of the Compact provides as follows:

When an application is made under this section for a certificate, . . . , the Commission shall issue a certificate to any qualified applicant therefore, . . . , if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise such application shall be denied. (Emphasis added.)

Pursuant to this mandate, the Commission shall schedule a hearing in order to develop an appropriate record.

In order to fully develop the basis for any finding as to Columbia's fitness to perform the proposed transportation service and the requirements of the public convenience and necessity for the proposed transportation service, the Commission shall require Columbia to submit and be prepared to support with competent witnesses the following exhibits:

- (A) a detailed income statement of applicant for the 12-month period ending May 31, 1974, including operating ratio;
- (B) a statement of the revenues and expenses resulting from its current transportation services performed pursuant to Order No. 1303,^{1/} served February 19, 1974;

1/ Grants temporary authority, effective through August 24, 1974, to transport employees and guest of International Business Machines Corporation over irregular routes among said Corporation's facilities in Gaithersburg and Bethesda, Montgomery County, Maryland.

- (C) a statement of the services performed, the passenger count, and the labor and vehicle hours expended each day in performing its current transportation services pursuant to Order No. 1303, served February 19, 1974;
- (D) a projected statement of revenues and expenses, including taxes, for a one-year period under the proposed tariff, together with supporting details, including operating ratio;
- (E) a copy of the contract between Columbia and IBM which forms the basis for the proposed tariff; and
- (F) a statement clarifying the provision in the tariff referring to additional transportation services on an "as required" basis.

The Commission shall direct Columbia to submit the statements and exhibits required hereinbefore on or before Wednesday, July 17, 1974, in such manner that six (6) copies shall be filed with the Commission and one copy served on each party of record.

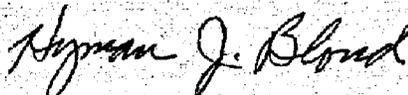
THEREFORE, IT IS ORDERED:

1. That Application No. 837 of Columbia Transpo Company, Inc., be, and it is hereby, scheduled for public hearing to commence Thursday, July 25, 1974, at 10:00 a.m., in the Hearing Room of the Commission, Room 314, 1625 Eye Street, N.W., Washington, D. C. 20006.
2. That Columbia Transpo Company, Inc., post notice in the form prescribed by the staff of the Commission of such application and hearing in all of its vehicles operated pursuant to Order No. 1303 no later than Monday, July 1, 1974.
3. That Columbia Transpo Company, Inc., publish notice in the form prescribed by the Staff of the Commission of such application and hearing in a newspaper of general circulation in the Metropolitan District no later than Monday, July 1, 1974.

4. That six (6) copies, the original to be submitted at the hearing, of the statements and exhibits required hereinbefore be submitted by Columbia Transpo Company, Inc., to the Commission and one copy served on each party of record on or before Wednesday, July 17, 1974.

5. That any person desiring to protest or otherwise to be heard on this matter shall notify the Commission, in writing, on or before Tuesday, July 16, 1974, and mail a copy of such notification to the counsel of record for Columbia Transpo Company, Inc., David V. Mason, Esquire, Suite 110, The Southern Building, 2054 Fourteenth Street North, Arlington, Va. 22201.

BY DIRECTION OF THE COMMISSION:



HYMAN J. BLOND
Executive Director