

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1408

IN THE MATTER OF:

Application of D. C. Transit)
System, Inc., for Authority)
to Increase Fares)

Served February 18, 1975
Application No. 613
Docket No. 216

By motion, filed February 12, 1975, counsel for D. C. Transit System, Inc. (Transit) requests that the date for its filing of direct testimony in the captioned proceeding be extended to April 22, 1975. On February 12, 1975, counsel for the staff of the Commission (staff) and counsel for the Black United Front (BUF) filed separate pleadings in opposition to the motion. Transit, on February 14, 1975, filed a reply to the staff's pleading.

Transit's motion embodies a second successive request for extension of the filing date for the submission of prepared direct testimony. The previous motion was denied by Order No. 1402, served January 31, 1975, signed for the Commission by the presiding officer.

The staff's objection to the present motion by Transit essentially is that the prior denial action by the presiding officer was proper and therefore Transit's continuing efforts to have the date for filing extended should be rejected. Transit's reply to the staff's pleading characterizes the objection as an argument based exclusively on the contention that the motion is a further effort to delay the proceeding.

BUF requests that its opposition to the prior motion be incorporated by reference. BUF asserts that it is prepared to submit testimony on the issues in question, according to schedule, and that Transit's motion is only another effort to cause further delay.

The Commission has considered each of these pleadings and Order No. 1402. The date for Transit's filing of prepared direct testimony shall be extended to April 22, 1975. However, the extension is granted upon condition that Transit file its prepared rebuttal testimony on February 24, 1975; that Transit participate in the hearing scheduled to commence February 26, 1975; and that Transit file its prepared direct testimony or prepared rebuttal testimony relating to the issues set forth in Commission Order Nos. 1355 and 1356, served October 10, 1974, on the dates scheduled therein.

Except as herein otherwise provided, hearing date and filing dates specified in Order No. 1402 shall be followed without change. This order merely provides that Transit's submission of prepared direct testimony be extended to April 22, 1975. Any hearing that may be necessitated by the filing of that testimony would be limited to cross-examination of Transit's witnesses and rebuttal testimony thereon by other parties.

THEREFORE, IT IS ORDERED:

1. That the motion by D. C. Transit System, Inc., for change in filing date be, and it is hereby, granted.
2. That the date for the filing of prepared direct testimony by D. C. Transit System, Inc., be, and it is hereby, extended from February 18, 1975 to April 22, 1975, subject, however, to the conditions expressly set forth hereinbefore.

BY DIRECTION OF THE COMMISSION



HYMAN J. BLOND
Executive Director