

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1414

IN THE MATTER OF:

Application of BELTWAY)	Served March 26, 1975
LIMOUSINE SERVICE, INC., for)	
Certificate of Public Con-)	Application No. 859
venience and Necessity Author-)	
izing Performance of Charter)	Docket No. 285
Operations Pursuant to Contract))	

By application, filed March 18, 1975, Beltway Limousine Service, Inc. (Beltway) seeks a certificate of public convenience and necessity pursuant to Title II, Article XII, Section 4(b) of the Compact, to perform a charter operation pursuant to contract. Beltway seeks authority to transport students and visitors of the General Electric Company between General Electric's National Training facility, 401 North Washington Street, Rockville, Maryland, and the Ramada Inn, Interstate Highway 270 and Route 28, Rockville, Maryland, and return.

The transportation would be provided pursuant to a contract between Beltway and the General Electric Company. The contract initially would be for a three-month period commencing March 31, 1975. The contract may be extended in June 1975 for further service. The service would consist of one morning trip from the Ramada Inn to General Electric's National Training facility and two evening trips from General Electric's National Training facility to the Ramada Inn. The rates would depend upon the number of persons making each trip as follows: (A) 1-12 persons, \$3.75 per person per trip; (B) 13-24 persons, \$3.25 per person per trip; and (C) 24 or more, \$2.75 per person per trip.

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 therefor, . . . , 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, we shall schedule a hearing to develop an appropriate record.

The reason for the hearing is to fully develop the basis for any finding as to Beltway's fitness to perform the proposed transportation service and the existing requirements of the public convenience and necessity for the proposed transportation service. We shall require Beltway to submit a detailed balance sheet as of March 31, 1975. Beltway shall be directed to file six (6) copies of the balance sheet with the Commission and serve one copy on each party of record on or before Friday, May 23, 1975. Beltway shall be prepared to present evidence that public convenience and necessity require such service.

In the application for permanent authority, Beltway states that there is an immediate and urgent need for this service, that no competing carriers will be affected by approval of this authority, and that it is the only carrier which can provide the service. These allegations are basic to a grant of temporary authority to provide service to the public. We may, in our discretion and without hearings or other proceedings, authorize a carrier to provide a service

for which there is an immediate and urgent need to a point or points or within a territory having no carrier service capable of meeting such need. See Compact, Title II, Article XII, Section 4(d)(3). Moreover, there is no provision in the Compact that conditions a grant of temporary authority upon a carrier filing an application for such authority. Cf. Application of McMICHAEL SCHOOL BUS SERVICE, INC., for Certificate of Public Convenience and Necessity, Order No. 1385, served December 2, 1974.

In support of the application for a certificate of public convenience and necessity, Beltway filed a letter prepared by the manager of General Electric's National Training Operations. This letter indicates that General Electric Company desires the proposed service commencing March 31, 1975.

We believe that Beltway should be granted temporary authority pending our decision on the application for a certificate of public convenience and necessity. It is our opinion that General Electric Company has an immediate and urgent need for transportation of its students and visitors between General Electric's National Training facility, 401 North Washington Street, Rockville, Maryland, and the Ramada Inn, Interstate Highway 270 and Route 28, Rockville, Maryland, and return. Of course, our grant of temporary authority creates no presumption that corresponding permanent authority will be granted.

THEREFORE, IT IS ORDERED:

1. That Application No. 859 of Beltway Limousine Service, Inc., be, and it is hereby, scheduled for public hearing to commence Tuesday, June 10, 1975, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

2. That Beltway Limousine Service, 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 Saturday, May 10, 1975, and present at the hearing, a certificate of publication from the selected newspaper.

3. That six (6) copies, the original to be submitted at the hearing, of the balance sheet required hereinbefore be filed by Beltway Limousine Service, Inc., with the Commission and one copy served on each party of record on or before Friday, May 23, 1975.

4. That any person desiring to protest shall file a protest, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Tuesday, May 20, 1975, and shall mail a copy of such protest or such notice to counsel of record for Beltway Limousine Service, Inc., Robert A. Manzi, Esquire, 9827 Central Avenue, Upper Marlboro, Maryland, 20870.

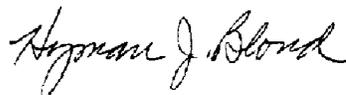
5. That Beltway Limousine Service, Inc., be, and it is hereby, granted temporary authority to transport General Electric Company students and visitors between General Electric's National Training facility, 401 North Washington Street, Rockville, Maryland, and the Ramada Inn, Interstate Highway 270 and Route 28, Rockville, Maryland, and return.

6. That unless otherwise provided by order of the Commission, the temporary authority granted herein shall become effective Monday, March 31, 1975, and shall remain in effect through Saturday, September 27, 1975.

7. That Beltway Limousine Service, Inc., be, and it is hereby, required to file forthwith an appropriate tariff pursuant to the temporary operating authority granted herein, to be effective March 31, 1975.

8. That Beltway Limousine Service, Inc., be, and it is hereby, required to file forthwith a copy of the contract between General Electric Company and Beltway Limousine Service, Inc.

BY DIRECTION OF THE COMMISSION:



HYMAN J. BLOND
Executive Director