

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1510

IN THE MATTER OF:

Application of SUBURBAN	)	Served March 11, 1976
TRANSIT COMPANY for	)	
Certificate of Public	)	Application No. 908
Convenience and Necessity	)	
to Perform Special Operations-	)	Docket No. 312
Montgomery Village	)	

By Application No. 908, filed January 22, 1976, Suburban Transit Company (Suburban) 1/ seeks a certificate of public convenience and necessity, pursuant to Title II, Article XII, Section 4(b) of the Compact, to transport passengers, over irregular routes, in special operations, between Montgomery Village in Gaithersburg, Maryland, and Washington, D. C.

Suburban proposes to perform the special operations in 49 passenger motor coaches. As part of the application, Suburban submitted a proposed tariff. That tariff indicates the charge for the proposed service would be \$1.50 per passenger per one-way trip. Suburban also submitted a proposed schedule setting forth departure times. Suburban would depart Montgomery Village on Monday through Friday at 6:50 A. M., 7:10 A. M., and 7:30 A. M., and would Washington on Monday through Friday at 4:30 P. M., 5:00 P. M., and 5:30 P. M.

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1/ Suburban is a sole proprietorship owned and operated by Posie James Preston, Jr.

Suburban currently holds Certificate of Public Convenience and Necessity No. 29. That Certificate authorizes the performance of special operations, over irregular routes, from Gaithersburg, Maryland, Rockville, Maryland, Wheaton, Maryland, Reston, Virginia, Tyson's Corner, Virginia, Springfield, Virginia, or points in Washington, D. C., located at 16th and Kennedy Streets, N. W., and 4th and Michigan Avenue, N. W., to the Capital Centre, Largo, Maryland, and return.

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, the Commission shall schedule a hearing to develop an appropriate record. Suburban shall be assessed an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear.

In order to fully develop the basis for any finding as to Suburban'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 Suburban to submit and be prepared to support with competent witnesses the following exhibits:

(A) A detailed balance sheet of Suburban as of December 31, 1975.

(B) A detailed income statement for the year ended December 31, 1975.

(C) A statement projecting revenues and revenue deductions including taxes, for a one-year period, together with supporting details, including the ratio between revenue deductions and revenues, for the proposed special operations.

Suburban shall be directed to file six (6) copies of the statements required hereinbefore with the Commission and serve one copy on each party of record on or before Wednesday, March 31, 1976. Suburban shall be prepared to present evidence that the public convenience and necessity require the proposed special operations service. Should Suburban elect to submit prepared testimony at the hearing, then six (6) copies of said testimony also should be filed with the Commission and one copy served on each party of record on or before March 31, 1976.

THEREFORE, IT IS ORDERED:

1. That Application No. 908 of Suburban Transit Company be, and it is hereby, scheduled for public hearing to commence Tuesday, April 6, 1976, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

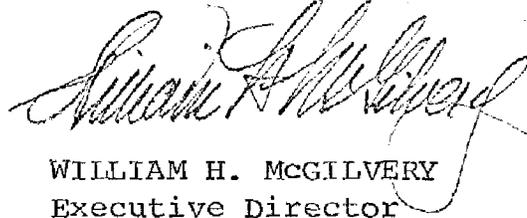
2. That Suburban Transit Company publish in a newspaper of general circulation in the Metropolitan District and post in each vehicle that it operates a notice in the form prescribed by the staff of the Commission of such application and hearing no later than Wednesday, March 17, 1976, and present at the hearing a certificate of publication from the selected newspaper and a certification of posting.

3. That six (6) copies, the original to be submitted at the hearing, of the exhibits required hereinbefore and any prepared testimony be filed by Suburban Transit Company with the Commission together with a certificate indicating that one copy was served on each party of record on or before Wednesday, March 31, 1975.

4. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Friday, March 26, 1976, and shall mail a copy of such protest or notice to Posie James Preston, Jr., 1778 Lang Place, N. E., Washington, D. C.

5. That Suburban Transit Company be, and it is hereby, assessed \$200 pursuant to the provisions of the Compact, Title II, Article XII, Section 19 and directed to deliver said amount to the office of the Commission, Room 316, 1625 I Street, N. W., Washington, D. C. 20006, on or before Wednesday, March 31, 1976.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY  
Executive Director